

## LOUISIANA

Lola M. Hutchings, Bossier.  
Edward J. Templet, Pharr.

## MISSISSIPPI

Reid R. Williams, Arcola.  
James W. Gresham, Ashland.  
Victor B. Garraway, Bassfield.  
Albert S. Johnston, Carthage.  
James G. Carr, Centerville.  
Harry L. Callicott, Coldwater.  
Clarence L. Fleming, Crandall.  
Robert F. McMullan, Decatur.  
Joseph M. Scrivner, Derma.  
Mellon E. Daniel, Dlo.  
Minnie Davis, Duncan.  
John R. Terry, Dundee.  
Bessie H. Ballard, Edwards.  
Aaron B. Johnston, Enid.  
Bennett A. Truly, Fayette.  
William B. Stone, Fulton.  
Sara B. Townes, Glendora.  
Jefferson D. Fogg, Hernando.  
Sarah L. Townsend, Holcomb.  
Isaac N. Joyner, Houlika.  
Dan Cohn, Lorman.  
Wiley S. Davis, Lyman.  
Walter W. Holmes, McComb.  
Emmett L. VanLandingham, McCool.  
Thomas C. Moore, Macon.  
Albert S. Russell, Magee.  
Maude Barton, Mathiston.  
Maggie E. Sullivan, Meadville.  
Willis L. Malley, Merigold.  
Josephine J. Dent, Morgan City.  
Fred H. Laseter, Morton.  
Allie B. Terry, New Augusta.  
Pearl Young, Noxapater.  
Carson Hughes, Oakland.  
John P. Edwards, Ocean Springs.  
Minnie T. Brown, Oveit.  
Elma M. Lindinger, Pascagoula.  
Robert J. Delpit, Pass Christian.  
Elisha E. Petty, Pheba.  
Johnnie L. Posey, Philadelphia.  
Fred W. Whitfield, Picayune.  
Virginia B. Duckworth, Prentiss.  
Thomas W. Cooper, Purvis.  
Katherine M. Alvis, Rienzi.  
Mary S. Graves, Roxie.  
Sarah M. Gryder, Shannon.  
David W. Gillis, Sledge.  
Tommie A. Hamill, Sturgis.  
William P. Jones, Terry.  
John R. Trimm, Tishomingo.  
James W. Bell, jr., University.  
Frances E. Clay, Vance.  
Andrew V. Lamar, Vardaman.  
Katie Starling, Walnut Grove.

## OKLAHOMA

Bert E. Irby, Haworth.

## SOUTH CAROLINA

James M. Byrd, Branchville.

## SOUTH DAKOTA

Thomas R. Worsley, Witten.

## VERMONT

Walter H. Akin, Beebe Plain.

## HOUSE OF REPRESENTATIVES

MONDAY, February 16, 1925

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Heavenly Father, we thank Thee more than words can express for Thy love and mercy. Behind the poorest mortal that trembles on the verge of destruction is the heart of Almighty God. To all our lives so give us Thy wisdom that there may be diminishing evil and growing goodness. Nourish and care for every institution of this broad land that gives encour-

agement and strength to the poor and unfortunate. Let Thy truth burn through our lips and Thy holy precepts speak through our conduct and always direct the desires of our hearts, through Christ. Amen.

The Journal of the proceedings of Saturday, February 14, and Sunday, February 15, was read and approved.

## MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had agreed to the reports of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to bills of the following titles:

S. 365. An act for the relief of Ellen B. Walker; and  
S. 1765. An act for the relief of the heirs of Agnes Ingels, deceased.

The message also announced that the Senate had passed with amendments the bill (H. R. 11505) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1926, and for other purposes, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed the following order:

*Ordered*, That Mr. ASHURST be excused as conferee on the part of the Senate on the bill (H. R. 9393) entitled "An act authorizing the adjudication of claims of the Chippewa Indians of Minnesota, and that Mr. KENDRICK be appointed in his stead.

The message also announced that the Senate had passed the following resolution:

*Resolved*, That the report of the Committee of Conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 10020) entitled "An act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1926, and for other purposes," be recommitted to the Committee of Conference.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 4087. An act to revive and reenact the act entitled "An act to authorize the construction of a bridge across the Sabine River at or near Orange, Tex."

The message also announced that the Senate had passed without amendment bills and joint resolution of the following titles:

H. R. 11474. An act to fix the time for holding the terms of the United States District Court for the Eastern District of Virginia at Alexandria;

H. R. 2656. An act to permit the correction of the general account of Robert G. Hilton, former Assistant Treasurer of the United States;

H. R. 2745. An act for the relief of J. M. Farrell; and  
H. J. Res. 325. Joint resolution extending the time during which certain domestic animals which have crossed the boundary line into foreign countries may be returned duty free.

The message also announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 2424. An act to reduce the fees for grazing livestock on national forests.

## ENROLLED BILLS SIGNED

Mr. ROSENBLUM, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

S. 4056. An act to provide for an additional district judge for the western district of Michigan;

S. 4162. An act to establish home ports of vessels of the United States, to validate documents relating to such vessels, and for other purposes;

S. 365. An act for the relief of Ellen B. Walker;

S. 1765. An act for the relief of the heirs of Agnes Ingels, deceased;

H. R. 103. An act for the inclusion of certain lands in the Plumas National Forest, Calif., and for other purposes;

H. R. 4441. An act to amend section 4044 of the Revised Statutes, as amended;

H. R. 8090. An act authorizing the Secretary of the Treasury to remove the quarantine station now situated at Fort Morgan, Ala., to Sand Island, near the entrance of the port of Mobile, Ala., and to construct thereon a new quarantine station; and

H. R. 9765. An act granting to certain claimants the preference right to purchase unappropriated public lands.

## THE HOWELL-BARKLEY BILL

Mr. BARKLEY. Mr. Speaker, I ask unanimous consent to address the House for 15 minutes.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to address the House for 15 minutes. Is there objection?

Mr. SNELL. Reserving the right to object, and I do not intend to object, I trust that the gentleman from Kentucky will not use more than 15 minutes. We have a very long Consent Calendar and Members are desirous of getting as far as possible before we adjourn.

Mr. BARKLEY. I have used much less time this session than I was expected to use when it began. [Laughter.]

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. BARKLEY. Mr. Speaker, in view of the fact that this is perhaps the last day of this session on which it may be appropriate to consider or discuss the railroad labor bill, which has become known as the Howell-Barkley bill, I desire to make a brief statement with reference to the measure, its inception, progress, and present status.

When the transportation act was passed, it was felt by many impartial friends of the railroads and their employees that the labor sections of the act, creating the Railroad Labor Board, were at best experimental, and they entertained fears that the board thus created would not prove to be the solution of the railroad labor problem.

These fears have been abundantly justified by the events which followed the enactment of the law. The railroad employees have never had much confidence in the board, and the railroad executives have repudiated it time and again, and many of them would be glad to see it abolished.

Subsequent to the enactment of the present law, and continuing until the beginning of the Sixty-eighth Congress, efforts were made by representatives of the employees to bring about conferences with the railway executives, in an effort to work out a plan that might be agreeable to both sides, and that might operate as a more or less permanent settlement of this troublesome question.

The efforts to bring about these conferences failed. Conferences were had frequently with public men of all parties, and with men in private life whose opinions might contribute to a wise solution. Conferences were held with Secretary of Commerce Hoover and with Secretary of Labor Davis, and with many Members of both branches of Congress. All this was done in an effort to bring about and perfect legislation that might meet the situation, and at the same time prove beneficial and satisfactory to the public.

As a result of these efforts, on February 28, 1924, a bill was presented to the House and Senate, which was called the railway labor act, with which my name has become associated in this branch of Congress.

Efforts were made to secure hearings on the bill in the House Committee on Interstate and Foreign Commerce. These efforts failed, and the bill was taken from the committee and placed on the calendar of the House by a majority vote of the House. The bill in the meantime was given hearings before the Senate Committee on Interstate Commerce, and later, with a few amendments, it was reported favorably to the Senate by a vote of 9 to 3.

The bill was considered in the House on two or three different days, on all of which the opponents of the measure refused to discuss its merits, but resorted to a filibuster to prevent its consideration, after pretending to be anxious for its consideration in the committee as well as in the House. During these days when the measure was before the House there were 24 roll calls and on every one of them the friends of the bill had a substantial majority.

But on account of the filibuster Congress adjourned on June 7 with the measure on the calendar of both the House and the Senate.

During the last session, after the introduction of the measure and during the recess from June to December and up to the present moment, this measure has been the subject of more misinformation and more deliberate misrepresentation than any bill which has been before Congress in a generation. Those who have opposed it have systematically misrepresented it, either through ignorance or design, by claiming that it left the public entirely out of consideration in the formation of the boards to decide on questions of wages, when as a matter of fact the only board created by the bill to deal with wages in any respect is made up wholly from the public, and all men

who have any interest on either side are thereby disqualified from membership.

Between the adjournment of the last session of Congress and the beginning of the present session political parties met, nominated candidates for President and Vice President, and promulgated their platforms.

In the Republican platform we find the following declaration:

The Labor Board provisions of the present law should be amended whenever it appears necessary to meet changed conditions. Collective bargaining, mediation, and voluntary arbitration are the most important steps in maintaining peaceful labor relations and should be encouraged. We do not believe in compulsory action at any time in the settlement of labor disputes.

Public opinion must be the final arbiter in any crisis which so vitally affects public welfare as the suspension of transportation. Therefore the interests of the public require the maintenance of an impartial tribunal which can in an emergency make an investigation of the facts and publish its conclusions. This is essential as a basis for popular judgment.

In the Democratic platform we find this announcement:

The labor provisions of the act (transportation act) have proven unsatisfactory in settling differences between employer and employees. \* \* \* It (the transportation act) must therefore be so rewritten that the high purposes which the public welfare demands may be accomplished.

In his Labor Day speech at Wheeling John W. Davis, Democratic candidate for President, declared himself unequivocally in favor of the abolishment of the Railroad Labor Board, and while he did not mention the Howell-Barkley bill by name, he declared himself in favor of principles which are set forth in that measure.

If the Republican platform had been trying to describe the bill without naming it, it could not have done so more completely than by the use of the language in its platform above quoted.

The Progressive platform contained the following plank:

We pledge ourselves to the speedy enactment of the Howell-Barkley bill for the adjustment of controversies between railroads and their employees.

Hence, it is seen that all three of the leading candidates for President in the last election were committed to the amendment of the present law and that public opinion, as expressed through political parties and their candidates, demanded its prompt amendment.

Subsequent to all this, on November 19, 1924, the Association of Railway Executives met and declared their opposition to any amendment of the present law in the following language:

There is no condition existing to-day that calls for any urgent legislative action by Congress with respect to the railroads, either as to rates, labor relationship, or valuation.

On December 3, 1924, President Coolidge delivered his message to Congress, in which we find the following language:

Another matter before Congress is legislation affecting the labor sections of the transportation act. Much criticism has been directed at the workings of this section, and experience has shown that some useful amendment could be made to these provisions.

It would be helpful if a plan could be adopted which, while retaining the practice of systematic collective bargaining with conciliation and voluntary arbitration of labor differences, could also provide simplicity in relations and more direct local responsibility of employees and managers. But such legislation will not meet the requirements of the situation unless it recognizes the principle that the public has a right to the uninterrupted service of transportation, and therefore a right to be heard when there is danger that the Nation may suffer great injury through the interruption of operations because of labor disputes. If these elements are not comprehended in proposed legislation it would be better to gain further experience with the present organization dealing with these questions before undertaking a change.

Although I can not claim that the above language as used by the President could be construed as a specific indorsement of the Howell-Barkley bill, it is obvious that he indorsed legislation based on the principles of that bill, which provides for what the President desires—

Systematic collective bargaining with conciliation and voluntary arbitration of labor differences—

And also—

simplicity in relations and more direct local responsibility of employees and managers.

The bill also—

recognizes the principle that the public has a right to the uninterrupted service of transportation and therefore a right to be heard when there is danger that the Nation may suffer a great injury through the interruption of operations because of labor disputes.

Acting upon the political pronouncements of the three parties in the last campaign, and upon the suggestions of the President, the friends of the Howell-Barkley bill sought the cooperation of the administration in the further consideration of the bill in this session of Congress. Numerous conferences were had with Senator CUMMINS, the coauthor of the present transportation act, and with Secretary of Commerce Hoover, and they had many conferences with the President upon the subject. In the course of these conferences special efforts were made to secure the cooperation of the railway presidents in the preparation and consideration of what all parties agreed to be a necessary change in and amendment of the present law.

The efforts to secure the desired conferences with the railway executives has thus far failed. It was admitted by representatives of the administration that the employees had done what they could to make such conferences possible. President Coolidge had himself on a previous occasion said that it was desirable that the two sides get together and come to an agreement over labor legislation.

In all fairness, I wish to say that some of the railroad presidents were anxious to cooperate, and did their best to make these conferences possible and of such extent as to represent the railroad executives generally. But a majority of their colleagues rejected the idea, and up to the present there have been no conferences between the executives and the representatives of the employees on the subject.

When Congress met in December, the efforts to bring about the conferences to which I have referred, and thus obtain legislation that might be acceptable to all interests concerned, were in progress, and it seemed then that they might succeed. These efforts have continued practically all during the present session. Under these circumstances, the friends of the measure did not feel that it was wise to push the bill now before Congress on such days as might be allowed to it, because we greatly desired that acceptable legislation might come forth from the efforts already alluded to, and we did not desire to consume the time of the House in attempting to combat another filibuster and thus prevent the consideration of other legislation that ought to be passed.

For the reasons which I have suggested we have not sought to bring the bill before the House for consideration at this session. It is manifest that to do so now would be both futile and unwise. We regret that it was made impossible to pass the measure in the last session. We regret that the efforts to bring about desired legislation at this session, with justice to the railroads, their employees, and the public, have not been successful. But the friends of this legislation feel that they have shown no arbitrary disposition at any stage of the proceedings, and they have at all times been and are now willing to discuss with every sincere friend of the roads and their employees and with the public every provision of the bill which has been presented and every amendment that may be suggested in good faith in the hope that ultimately we may secure the passage of a measure that will adequately meet the needs of the situation and do justice to every interest that has a right to be consulted.

In conclusion I may say that efforts to bring about the conferences which were sought in vain during the present session will continue during the congressional recess, and I indulge the hope that at the next session of Congress we may succeed in passing a law that will cure the manifest and glaring inequalities contained in the present law and which will recognize and protect the legitimate interests of the roads, the men, and the public.

Mr. COOPER of Ohio. Will the gentleman yield?

Mr. BARKLEY. I will.

Mr. COOPER of Ohio. Is not this a fact: There were a great many Members of the House who took the position that the Railroad Labor Board had not functioned, and they were in favor of changing the present law in so far as it relates to railroad labor disputes. The officials of the railroad labor organizations refused to consider any important change, but insisted that the principal provisions of the bill must be accepted as passed just as it had been drafted by them.

Mr. BARKLEY. That statement is absolutely incorrect.

Mr. COOPER of Ohio. That would like—

Mr. BARKLEY. I have stated on the floor repeatedly that I myself have prepared amendments to be offered to this bill

in collaboration with Members of the Senate and the House and with representatives of the labor organizations, so it is not true that they refused to consider any other legislation or suggestions concerning this question.

The SPEAKER. The time of the gentleman has expired.

Mr. COOPER of Ohio. Mr. Speaker, I ask unanimous consent that the gentleman may have one more minute so I may ask another question.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. COOPER of Ohio. In reply to the gentleman from Kentucky I want to say this: That I myself had a conference with some of the labor brotherhood officials and asked them if they would agree to support a bill to abolish the Railroad Labor Board and reestablish the provision for mediation and conciliation and arbitration that was provided for under the Newlands Act, and they said they would consider no change at all, that the Howell-Barkley bill must go through with the provision for the four national boards of adjustment and board of mediation and conciliation, upon which there were 45 members, who were to receive salaries ranging from \$7,000 up to \$12,000 a year.

Mr. BARKLEY. I do not know anything about any proposition the gentleman from Ohio may have made to the railroad brotherhoods. It may have been that they looked with suspicion upon the proposition coming from him. I am not able to say as to that, however. But I can say in response to the gentleman's question to me that there has never been a moment since the introduction of this bill when the railroad employees and representatives of the brotherhoods have been unwilling to consider any suggestion or amendment from anybody who was sincere and earnest in desiring to bring about legislation for the solution of this problem. [Applause.]

The SPEAKER. The time of the gentleman has again expired.

Mr. WINSLOW. Mr. Speaker, I ask unanimous consent to proceed out of order for three or four minutes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. WINSLOW. Mr. Speaker and gentlemen of the House, we did have at the last session of the Congress a little by-play in respect to the Howell-Barkley bill, and it was virtually withdrawn from our consideration. We have gone through this session of Congress without any reference to it as far as I remember, save by the gentleman from Kentucky [Mr. BARKLEY] to-day. It is not my purpose to get into a discussion of the merits of the bill as to who were its backers or opponents, but I am very much pleased to have the opportunity to compliment my associate on the committee [Mr. BARKLEY] in respect of his proposition as laid before the House this morning. Recrimination rarely breeds good results, and I am sure we do not want to get this House in any sort of row about a thing that is dead. [Applause.] I am referring not to the merits of the bill but to the discussion of the problem, my friends. I say more power to the arm of the railroad employees and to friends like Mr. BARKLEY in their efforts to do anything that will bring about a real proper determination of misunderstandings between employees and employers. We need such consideration as much as any one thing in our economic structure, and I hope that the proposition stated by Mr. BARKLEY will come to pass, that in the next session of Congress you will have submitted to you a bill which does fairly represent the interests of everybody concerned, including the people of the country, regardless of their association with their employees or employers. I do wish to say one more thing, and that is this, and I can not lay too great emphasis upon it: There is no problem affecting the transportation system of this country so insignificant as to be properly considered off the reel. The problem is big, it is tremendously and wonderfully ramified, one consideration as compared with another. Let me tell you, my friends, that I have no ax to grind as to future legislation.

You can not take up a transportation bill in this House with any degree of intelligence, with any degree of certainty as to what you are talking about or doing without real study. No bill should ever be considered here for transportation, which is so tremendously complicated, without a careful review by the proper committee, whatever that committee may be. It is a bad policy, and I hope that this House will realize that in respect to transportation problems, involving not only large sums of money but more particularly the well-being of the people from an economic and domestic point of view. If brought before the House, it should be well fortified with hearings and report, and I trust that will always be the method of the House. [Applause.]

## NIGHT SESSION

Mr. SNELL. Mr. Speaker, I ask unanimous consent that the House shall stand in recess this evening from 5.30 to 8 p. m., and that between 8 p. m. and 11 p. m. it shall be in order to consider business on the Consent Calendar.

The SPEAKER. The gentleman from New York asks unanimous consent that the House stand in recess this evening from 5.30 to 8 p. m., and that between 8 p. m. and 11 p. m. it shall be in order to consider business on the Consent Calendar. Is there objection?

Mr. GARRETT of Tennessee. Does that mean merely unanimous-consent bills and not suspensions?

Mr. SNELL. I did not have suspensions in mind.

The SPEAKER. The Chair will state that he will not recognize requests for suspensions.

Mr. CRAMTON. Mr. Speaker, in order that there may be no misunderstanding, is it the intention of the gentleman from New York [Mr. SNELL] that bills on the Consent Calendar shall be considered under the rules relating to that calendar?

Mr. SNELL. Only bills unobjected to.

Mr. CRAMTON. That is, if a bill has been up once and knocked off the calendar with one objection—

Mr. SNELL. It has to be objected to by three objections.

Mr. CRAMTON. The bills will be considered under the ordinary rules applying to the Consent Calendar?

Mr. SNELL. I think under the ordinary rules governing the Consent Calendar.

Mr. HUDDLESTON. Will anybody be recognized to move a suspension of the rules?

The SPEAKER. The Chair does not expect to recognize anybody to move a suspension of the rules.

Mr. HUDDLESTON. My position on the matter is dependent on whether or not we shall have a chance to vote on unanimous-consent bills or some other matter.

The SPEAKER. The Chair has notified all Members who have appealed to him to recognize a motion to suspend the rules that he felt the Consent Calendar should be completed, and he has denied all requests to entertain motions to suspend the rules.

Mr. BLANTON. Mr. Speaker, the House has now finished every one of our supply bills, and we have our actual calendar, that we must pass, finished. What is the use of night sessions when we have all of next week and all of the week following and three days of the following week with nothing else to do?

Mr. SNELL. There are a great many individual bills that Members are desirous of sending over to the Senate.

Mr. BLANTON. I am not going to object to sitting tonight, but I will object to sitting other nights.

Mr. BUTLER. Can the gentleman from New York tell whether in his lifetime, or that of any of the Members, there will come a time when we can consider these calendars in the regular way?

Mr. SNELL. I hope that time will come soon.

Mr. BUTLER. Is my hope in vain if I hope that this thing will come about when I am still alive?

Mr. SNELL. I hope not. [Laughter.]

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. SNELL]?

There was no objection.

## INDEPENDENT OFFICES APPROPRIATION BILL

Mr. WOOD. Mr. Speaker, I ask unanimous consent that the independent offices appropriation bill be taken from the Speaker's table, that we disagree to all the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Indiana asks unanimous consent to take from the Speaker's table the independent offices appropriation bill, disagree to all the Senate amendments, and ask for a conference. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 11505) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1926, and for other purposes.

The SPEAKER. Is there objection to the gentleman's request?

Mr. OLDFIELD. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman from Indiana a couple of questions. There are a number of Members on this side of the House who are very much in favor of two amendments placed on the bill by the Senate. One was in regard to the Tariff Commission. Personally I am very much interested in that amendment. It was stricken out, as the gen-

tleman will remember, on a point of order here, and they placed it back in the law with a limitation; and I would like to know if the House will have an opportunity to vote on that amendment.

Mr. WOOD. So far as I am concerned, they will have an opportunity.

Mr. OLDFIELD. Now, another amendment, the Pullman surcharge amendment. Will we have an opportunity to vote on that amendment?

Mr. WOOD. I will state to the gentleman that while I am entirely in favor of the abolition of the Pullman surcharge, individually I think it is a bad piece of legislation; we would not do a thing of that kind on this side, because it would be subject to a point of order. But I will say that I can not agree to it when we get over to that side, and I will bring it back to you.

Mr. BLANTON. The gentleman can not agree, of course. He would have to bring it back.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. Wood]?

There was no objection; and the Speaker appointed as conferees on the part of the House Mr. Wood, Mr. WASON, and Mr. SANDLIN.

## CONSENT CALENDAR

The SPEAKER. The Clerk will report the first bill on the Consent Calendar.

## OFFICERS IN CHARGE OF PUBLIC BUILDINGS AND GROUNDS

The first business on the Consent Calendar was the bill (S. 1918) relative to officers in charge of public buildings and grounds in the District of Columbia.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. BLANTON. Reserving the right to object, Mr. Speaker, as I understand it, in case this bill is called up, the gentleman from Michigan [Mr. CRAMTON] proposes to offer a substitute for it, a substitute that will coordinate the work being done by two officers and leave only one to do the work.

Mr. CRAMTON. It will be the coordination of two offices and will save \$50,000 a year.

Mr. BLANTON. His proposition will not promote a colonel to a major general?

Mr. CRAMTON. It will make no change in the status or salary or rank of Colonel Sherrill.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That the commission known as the commission in charge of the State, War, and Navy Department Buildings shall hereafter be known as the commission in charge of public buildings in the District of Columbia.

SEC. 3. That the office of the Superintendent State, War, and Navy Department Buildings shall hereafter be known as the office of public buildings in the District of Columbia, and the Superintendent of the State, War, and Navy Department Buildings shall hereafter be known as the director of public buildings in the District of Columbia.

SEC. 3. The office heretofore known as the office of public buildings and grounds shall hereafter be designated as the office of public parks in the District of Columbia, and the officer in charge of public buildings and grounds shall hereafter be known as the director of public parks in the District of Columbia.

SEC. 4. Nothing in this act shall be held to modify existing law with respect to the assignment of space in the public buildings in the District of Columbia by the Public Buildings Commission.

Mr. CRAMTON. Mr. Speaker, I offer an amendment as a substitute.

The SPEAKER. The gentleman offers as a substitute the bill H. R. 11029, which is on the Consent Calendar.

Mr. CRAMTON. I am offering the substitute in the form as amended by the Committee on Public Buildings and Grounds.

The SPEAKER. The Clerk will report the substitute.

The Clerk read as follows:

*Be it enacted, etc.,* That the office of Public Buildings and Grounds under the Chief of Engineers, United States Army, and the office of superintendent of the State, War, and Navy Department Buildings are hereby consolidated into a single office and shall hereafter be designated as the office of Public Buildings and Public Parks of the National Capital. The superintendent of the State, War, and Navy Department Buildings and the officer in charge of Public Buildings and Grounds shall hereafter be designated as the Director of Public Buildings and Public Parks of the National Capital, and shall be assigned by the President from the officers of the Corps of Engineers for duty in this

position as now provided by law for the officer in charge of Public Buildings and Grounds and the superintendent of the State, War, and Navy Department Buildings.

Sec. 2. The commission in charge of the State, War, and Navy Department Building, established by the act approved March 3, 1883, is hereby abolished and all powers and duties conferred and imposed by law upon such commission and the superintendent of the State, War, and Navy Department Buildings shall hereafter be exercised and performed by such director, under the general direction of the President of the United States.

Sec. 3. The office of Public Buildings and Grounds, under the direction and control of the Chief of Engineers of the United States Army, is hereby abolished, and all authority, powers, and duties conferred and imposed by law upon the Secretary of War or upon the Chief of Engineers of the United States Army in relation to the construction, maintenance, care, custody, policing, upkeep, or repair of public buildings, grounds, parks, monuments, or memorials in the District of Columbia, together with the authority, powers, and all duties and powers conferred and imposed by law upon the officer in charge of public buildings and grounds, shall be held, exercised, and performed by the Director of Public Buildings and Public Parks of the National Capital, under the general direction of the President of the United States.

Sec. 4. The officers and employees in the offices hereby consolidated shall become officers and employees of the office of Public Buildings and Public Parks of the National Capital without reappointment, and all official records, papers, files, furniture, supplies, and other property in use in or in the possession of the offices so consolidated are hereby transferred to the office hereby created. The director is authorized to appoint, in accordance with existing law, such officers and employees, and to incur such expenses, as may be necessary for the proper administration of his office within the limits of the appropriations from time to time granted therefor. There may be detailed to assist the director not to exceed two qualified officers of the United States Army not above the rank of major.

Sec. 5. All unexpended balances of appropriations made for either of the activities hereby consolidated shall be available for expenditure by the office hereby established to the same extent and under the same conditions as such appropriations are available for the offices hereby consolidated.

Sec. 6. Nothing contained in this act shall be held to modify existing law with respect to the assignment of space in the public buildings in the District of Columbia by the Public Buildings Commission or to modify sections 4 to 10, inclusive, of the act approved May 27, 1924, relating to the United States park police, except as provided in section 3 of this act.

The SPEAKER. The question is on agreeing to the amendment.

Mr. BEGG. Mr. Speaker, I would like to ask the gentleman from Michigan a question as to section 5. What is the intention of the superintendent as to number of employees? Will he need as many with a consolidated office as he would with two offices?

Mr. CRAMTON. No; he will not need as many, and we have his pledge that he will reorganize, with a resultant saving, as I have stated, of probably \$50,000 a year.

Mr. BEGG. The gentleman told me that in private, but I want to call the gentleman's attention to the language of the bill and ask whether he does not think the superintendent is liable to run into trouble. This bill specifically hires all the employees of both departments right now; and if the superintendent wants to let one of them out next month or in six months, can he do it?

Mr. CRAMTON. Oh, certainly.

Mr. BEGG. How does the gentleman explain the language?

Mr. CRAMTON. He can turn loose anyone to-day in either organization. There are two organizations, each under Colonel Sherrill, and he can to-day let anyone out that is in either organization. Now, in this consolidation we provide that they are all brought into the new organization, and Colonel Sherrill tells us that if this consolidation is brought about he will have one administrative office instead of two; he will have one chief clerk instead of two; there will be one bookkeeping and disbursing office instead of two; there will be one cost section instead of two, and in addition—

Mr. BEGG. As far as that is concerned, the gentleman does not need to enumerate them; but I understand the language in the bill, where it says, "shall become officers and employees" in the offices consolidated, to mean that they shall become officers.

Mr. CRAMTON. Yes; they will when the consolidation takes effect, and just as soon as Colonel Sherrill works out his reorganization some of them will be let out. I have his assurance to that effect, and I can assure the gentleman that this has been gone over. It was not a matter personal to myself, but it was brought to my attention because of my experience

three or four years ago, when we asked Colonel Sherrill to make a survey, as a result of which we turned over to his care the Interior Department buildings, at a saving immediately of \$125,000 a year, and that saving has been increasing, until now it is \$175,000 a year below what it formerly cost. Other buildings have been put in his care, and that policy, I believe, is a very wise one, and it might be still further extended. Preliminary to that it is desirable to have his force consolidated.

Mr. BEGG. I will say to the gentleman that I have no opposition to the proposition.

Mr. CRAMTON. I will say to the gentleman from Ohio that the language carried here is necessary, and it will not handicap his efforts to bring about economy.

Mr. BEGG. If the gentleman were on the pay roll and we should pass this law, and week after next you should be notified by Colonel Sherrill that your services were no longer needed, do you not think you would contend that you were being hired by Congress?

Mr. CRAMTON. Oh, no. The employment is authorized and the continued employment is authorized, just the same as it is authorized now, and it could be discontinued any day by Colonel Sherrill, just as it can be discontinued to-day.

Mr. BEGG. Would not the word "may" be better than the word "shall"?

Mr. CRAMTON. Oh, no. That would raise a question as to whether Colonel Sherrill should continue them on the pay roll or not.

Mr. BEGG. I do not think so at all.

Mr. HILL of Maryland. Will the gentleman from Michigan yield?

Mr. CRAMTON. Certainly.

Mr. HILL of Maryland. I would like to refer to section 3 of the House bill which the gentleman has introduced, and particularly to the following words:

And all authority, powers, and duties conferred and imposed by law upon the Secretary of War or upon the Chief of Engineers of the United States Army in relation to the construction, maintenance, care, custody, policing, upkeep, or repair of public buildings, grounds, parks, monuments, or memorials in the District of Columbia.

And so forth. And I would like to ask the gentleman whether this bill confers any additional powers over public buildings on the consolidated office? As I understand it it confers no additional duty but simply brings about coordination and consolidation.

Mr. CRAMTON. At the present time there is a commission in charge of the State, War, and Navy Building; that was its original duty; the duties of that commission have been extended to take in the Interior Department buildings, some of the Treasury Department buildings, and others. That is one organization under Colonel Sherrill as executive officer. Then there is an officer in charge of public buildings and grounds; he has charge of the parks, Potomac Park, the Lincoln Memorial, the Washington Monument, and all of those activities. That is another organization with Colonel Sherrill again as the executive officer. Now, this bill consolidates the activities under each of those organizations into one organization with no added duties.

Mr. HILL of Maryland. And with a saving of about \$50,000.

Mr. CRAMTON. With a saving of \$50,000 immediately and with better administration possible.

Mr. LANHAM. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. LANHAM. Is not this also a fact? That under the two organizations which now exist seasonal work is done by certain employees, and during other seasons of the year there is nothing for those employees to do, and they are necessarily cast aside?

Under this consolidation of the two offices, is it not true that the consolidation will result in economy by the elimination of a number of employees and at the same time will have the incidental advantage of giving to those employees who are retained constant employment throughout the year?

Mr. CRAMTON. And permit much better administration. For instance, the employees in the parks are not needed in the winter, but they could be very well used in connection with the public buildings.

Mr. LANHAM. That is the idea I have in mind, and under the consolidation that is possible.

Mr. CRAMTON. Yes.

Mr. BLANTON. I would like to ask the gentleman a question. We are following the gentleman on this substitute and he is promising to effect a saving of \$50,000 a year. Is the gentleman going to follow that up after we pass the bill and see that it is effected or is the gentleman just going to take chances on it?

Mr. CRAMTON. I will say to the gentleman I took up, three or four years ago, with Colonel Sherrill the matter of a saving in connection with the care of the Interior Department buildings. He made an estimate then of a saving of \$125,000 a year.

Mr. BLANTON. I know about that.

Mr. CRAMTON. Just a moment. He promised greater saving later, and I checked up this year and I find it has been reduced \$50,000 more and the amount of the saving is now \$175,000. So my experience with Colonel Sherrill is such that when he says he is going to make this saving I am sure he will do it.

Mr. BLANTON. Is the gentleman going to check it up afterwards?

Mr. CRAMTON. I have a habit of checking up for myself, also.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill was laid on the table.

#### GENERAL SUPPLY COMMITTEE

The next business on the Consent Calendar was the bill (H. R. 8711) to authorize the consolidation and coordination of Government purchases, to enlarge the functions of the General Supply Committee, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BLANTON. I object, Mr. Speaker.

#### DESIGNATION OF CROATAN INDIANS AS CHEROKEE INDIANS

The next business on the Consent Calendar was the bill (H. R. 8083) to designate the Croatan Indians of Robeson and adjoining counties in North Carolina as Cherokee Indians.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HASTINGS. Mr. Speaker, I ask unanimous consent that this bill be referred to the Committee on Indian Affairs, and I do this with the permission of the author of the bill, I may say.

The SPEAKER. Is there objection?

There was no objection.

#### BOARD OF GENERAL APPRAISERS

The next business on the Consent Calendar was the bill (H. R. 11638) to amend the tariff act of 1922, and other acts, and to change the official title of the Board of United States General Appraisers and members thereof to that of the United States Customs Court, presiding judge, and judges thereof.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BEGG, Mr. DICKINSON of Missouri, and Mr. BLANTON objected.

#### DEPUTY MARSHALS OF THE DISTRICT COURT FOR THE WESTERN DISTRICT OF ARKANSAS

The next business on the Consent Calendar was the bill (H. R. 9364) granting a pension to deputy United States marshals of the United States District Court of the Western District of Arkansas who rendered special service prior to the admission of the State of Oklahoma into the Union.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLTON. Mr. Speaker, I object.

Mr. TILLMAN. Mr. Speaker, will the gentleman from Utah withhold his objection for an explanation?

Mr. COLTON. Yes; I withhold it.

Mr. TILLMAN. I want to say to the membership of this House if there ever was a meritorious bill brought before this body, this is the bill.

Mr. COLTON. Will the gentleman yield?

Mr. TILLMAN. Yes; I shall be glad to yield.

Mr. COLTON. I would like to know why this bill comes from the Judiciary Committee. I have read the report and it seems to me it is a bill that properly belongs to the Pension Committee. There are a great many other meritorious pension measures that are now being considered by the Pension Committee, and while I have no objection on account of the merits of the bill, it seems to me it ought to take the same course and be considered in the same way as other pension bills.

Mr. TILLMAN. The reason this bill was sent to the Judiciary Committee is because the services of these men to whom we seek to grant a pension grew out of their connection with the Federal court at Fort Smith, and hence the Judiciary Committee was the proper committee to which the bill should be referred. A subcommittee was appointed to examine into the merits of the measure and to hold hearings.

Considerable time was consumed in taking testimony on the bill, and the subcommittee reported the same back to the full committee and they unanimously reported it to the House. The bill provides that these deputy marshals over 65 years of age, who served more than two years under Judge Parker shortly after the War between the States shall be placed on the pension roll and paid \$30 a month from this time on. It is not retroactive, and there are only about 30 of these men living. Judge Parker was once a citizen of the State of Ohio, and was appointed by General Grant district judge at Fort Smith, and had jurisdiction of a large portion of Arkansas and the Five Civilized Tribes in the Indian Territory. He held the greatest court in the world, and was respected by everybody, especially the bar, irrespective of party. These deputy marshals performed military service. Just after the War between the States the Indian Territory was full of robbers, thieves, cut-throats, and murderers, and these men went down and did what the United States Army could not do, and did not do. They pacified that country and rendered it habitable. This bill proposes to pension these men at the rate of \$30 a month. We pass bills here week after week granting large pensions to men who really performed less service to the Government during the war. These people took their lives in their hands, made this section of the country safe, pacified it, and we are asking for only a pittance for them. There are only a few of them living, and most of them are in wretched circumstances.

Mr. COLTON. Will the gentleman yield?

Mr. TILLMAN. Yes.

Mr. COLTON. The gentleman realizes that we would be creating a precedent—making a departure from the policy in granting pensions before they have been carefully considered by the Pension Committee. There are pending now before that committee a great many bills that are seeking to pension non-military organizations who rendered great service on the frontier. In fact, they rendered real military service, though not regularly enrolled.

Mr. TILLMAN. These people did perform military service, just as much as those who were in the military service.

Mr. Speaker, I submit in detail a history of work performed by ex-United States deputy marshals from 1872 to 1877.

During Judge Parker's administration 65 deputy marshals were killed and nearly as many wounded, some of them crippled for life.

The law-abiding citizens were afraid to let a deputy marshal stay over night—afraid the outlaws would do them harm after the marshals left. So, finally, the marshals had to provide their own transportation, with camping outfits, to transport their prisoners and witnesses to Fort Smith, sometimes two or three hundred miles. After leaving Fort Smith west on their trips they were at war until they returned. They had to guard their camps just like soldiers at war. Just as soon as a deputy got into his saddle and turned his face to the west he was in the enemy's country. Many of the boys never returned; some killed in a fight with the outlaws and some bushwhacked. No soldier in time of war went through more hardships than the deputy marshals did from 1872 to Oklahoma statehood.

I read a partial list of deputy marshals that were killed by the outlaws of the western district: James Ward, by Proctor gang; Floyd Wilson, by H. Star gang; Robert Alexander, by Magee gang; Willard Ayers, by Creek Indians; Sam Sixkeller, at Muskogee; Billy Fields, by Creek Indians; Dave Maples, by Ned Christy; Ed Stokey, by Z. Zoury; Frank Dalton, by Z. Zoury; Bill Moody, by Proctor gang; John Field and two guards, near Eufaula; Jack Richardson, by Bill Pigin; Bill Irwin, by Jack Spaniard; Carlton John McAlester, by negroes, near Purcell; Jim Gary, by Lee Boyd; H. Beck, by John Bark; Barney Connelly, by Shephard Busby; Dave Layman, by Osage Indians; Charley Downs, by Proctor gang; Bob Dudley, by Henry Stewarts; Duval, by Choctaw Bill; Weir and Gilstrap, by Wickliff gang; Ben Simpson, in fight east of Stringtown; Lawrence Keating, by Cherokee Bill, in Fort Smith jail; George Williams, by Gene Lewis.

From the hearings (p. 20) it appears that there are but few of these deputy marshals alive to-day and that most of them are in destitute circumstances, and the granting of this pension at this time will prove a fitting tribute for their extraordinary services as well as provide them with some small means of livelihood.

Mr. COLTON. I regret that I will have to object.

**FIXING SALARIES OF OFFICERS AND EMPLOYEES OF THE COURT OF APPEALS, ETC.**

The next business on the Consent Calendar was the bill (H. R. 8210) to fix the salaries of officers and employees of the Court of Appeals of the District of Columbia, the Supreme Court of the District of Columbia, the United States Court of Claims, and the United States Court of Customs Appeals.

The Clerk read the title to the bill.  
The SPEAKER. Is there objection?  
Mr. LOZIER. I object.

**RELINQUISHMENT OF CERTAIN LANDS IN THE STATE OF IDAHO**

The next business on the Consent Calendar was the bill (H. R. 11067) to provide for the relinquishment by the United States of certain lands to the county of Kootenai, in the State of Idaho.

The Clerk read the title to the bill.  
The SPEAKER. Is there objection?  
There was no objection.  
The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the United States relinquish unto the county of Kootenai, in the State of Idaho, all of its right, claim, or title to or the possession of that certain piece or parcel of land situated in Kootenai County, in the State of Idaho, and described as follows: "Beginning at a point 1,332 feet north and 332 feet west of a stone monument at or about high-water mark on the east boundary of Fort Sherman Military Reserve (abandoned), said point being on the north line and 332 feet west of the northeast corner of lot 49 of said military reserve (abandoned); running thence west along the north line of said lot 49, 18 feet; running thence south at right angles 302 feet; running thence east 350 feet to the intersection with the east line of said lot 49; running thence north along the east line of said lot 49 for a distance of 50 feet to the southeast corner of the Kootenai County courthouse property; running thence west along the south line of said property for a distance of 252 feet to the southwest corner of said Kootenai County courthouse property; running thence northwesterly along the west line of said property for a distance of 264 feet, more or less, to the place of beginning"; to have and to hold forever as a part of the public lands belonging to the said county of Kootenai.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. FRENCH, a motion to reconsider the vote by which the bill was passed was laid on the table.

**STATUS OF RETIRED OFFICERS OF THE REGULAR ARMY DETAILED AS PROFESSORS, ETC.**

The next business on the Consent Calendar was the bill (H. R. 11546) to define the status of retired officers of the Regular Army who have been or may be detailed as professors and assistant professors of military science and tactics at educational institutions.

The Clerk read the title of the bill.  
The SPEAKER. Is there objection?  
Mr. BLANTON. I object.

Mr. VESTAL. Will not the gentleman withhold it?  
Mr. BLANTON. I will withhold it.  
Mr. VESTAL. I would like to have the gentleman in charge of the bill [Mr. WRIGHT] make a statement in regard to the bill.  
Mr. BLANTON. I understand that there are objections other than my own. Several Members object to it.  
Mr. VESTAL. I do not know of anyone else.  
The SPEAKER. The Chair would suggest that if the gentleman is going to object it is hardly worth while wasting the time of the House to discuss it.

Mr. BLANTON. If the gentleman in charge wishes to make an explanation I have no objection.

Mr. WRIGHT. This bill undertakes to correct a ruling by the Comptroller General under a section of the national defense act.

Mr. BLANTON. Will the gentleman yield?  
Mr. WRIGHT. Yes.

Mr. BLANTON. Is the gentleman in favor of doing away with the office of Comptroller General?

Mr. WRIGHT. Oh, no.

Mr. BLANTON. We are clipping his wings every day with bills like this, and every time he makes a ruling some one brings in a bill to do away with it. We either ought to vote to uphold the Comptroller General or do away with the office.

Mr. WRIGHT. But it often happens that the ruling is made in direct conflict with what we intended when we passed the bill.

Mr. BLANTON. As to all Members I doubt that. I am backing him up 100 per cent.

Mr. WRIGHT. This is a bill that has economy in view. The retired officers have been detailed as instructors in colleges

and universities, and they all draw three-quarters pay, and by putting them on duty and paying them one-quarter more we get all of their service. The Comptroller General ruled that while engaged in this service they could not be construed as on active duty. That is all there is to it.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BLANTON. I object.

**OATHS OF BANK DIRECTORS**

The next business on the Consent Calendar was the bill (S. 2209) to amend section 5147 of the Revised Statutes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That section 5147 of the Revised Statutes is amended to read as follows:

"Sec. 5147. Each director, when appointed or elected, shall take an oath that he will, so far as the duty devolves on him, diligently and honestly administer the affairs of such association, and will not knowingly violate or willingly permit to be violated, any of the provisions of this title, and that he is the owner in good faith, and in his own right, of the number of shares of stock required by this title, subscribed by him, or standing in his name on the books of the association, and that the same is not hypothecated, or in any way pledged, as security for any loan or debt. The oath shall be taken before a notary public, properly authorized and commissioned by the State in which he resides, or before any other officer having an official seal and authorized by the State to administer oaths, except that the oath shall not be taken before any such notary public or other officer who is an officer of the director's bank. The oath, subscribed by the director making it, and certified by the notary public or other officer before whom it is taken, shall be immediately transmitted to the Comptroller of the Currency and shall be filed and preserved in his office for a period of 10 years."

The bill was ordered to be read a third time, was read the third time, and passed.

**TRANSPORTATION OF BLACK BASS**

The next business on the Consent Calendar was the bill (H. R. 10690) to regulate the interstate transportation of black bass, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HUDDLESTON. Mr. Speaker, I object.

**CASS LAKE, MINN.**

The next business on the Consent Calendar was the bill (H. R. 11928) to promote and preserve the navigability of Cass Lake, in the State of Minnesota.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HASTINGS. I object.

**MUNICIPAL PARK, PHOENIX, ARIZ.**

The next business on the Consent Calendar was the bill (H. R. 11644) granting certain public lands to the city of Phoenix, Ariz., for municipal park and other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That lots 1 and 2, northeast quarter northwest quarter, and northwest quarter northeast quarter, section 7, township 1 south, range 4 east, Gila and Salt River meridian, Arizona, be, and the same are hereby granted to the city of Phoenix, Ariz., for municipal park, recreation, playground, or public convenience purposes, upon the condition that the city shall make payment for such land at the rate of \$1.25 per acre to the receiver of the United States land office, Phoenix, Ariz., within six months after the approval of this act: *Provided,* That there shall be reserved to the United States all oil, coal, or other mineral deposits found at any time in the land, and the right to prospect for, mine, and remove the same: *Provided further,* That the grant herein is made subject to any valid existing claim or easement, and that the lands hereby granted shall be used by the city of Phoenix, Ariz., only for the purposes herein indicated, and if the said land, or any part thereof, shall be abandoned for such use, said land, or such part, shall revert to the United States; and the Secretary of the Interior is hereby authorized and empowered to declare such a forfeiture of the grant and restore said premises to the public domain if at any time he shall determine that the city has for more than one year abandoned the land for the uses herein indicated, and

such order of the Secretary shall be final and conclusive, and thereupon and thereby said premises shall be restored to the public domain and freed from the operation of this grant.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

#### PROTECTION OF WATERSHEDS OF NAVIGABLE STREAMS

The next business on the Consent Calendar was the bill (H. R. 11886) to amend section 7 of an act entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," approved March 1, 1911 (36 Stat. L. p. 961).

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BEGG. Mr. Speaker, reserving the right to object, I would like to have some information from the gentleman from Washington [Mr. HAWLEY].

Mr. HAWLEY. The purpose of this bill is to enable the Government to exchange lands acquired under the Weeks Act for lands that are contiguous to it and within the boundaries of the national forest in which such lands are located.

Mr. BEGG. I have two questions which I desire to have answered: First, it is not contemplated to take land segregated entirely away from the forest? In other words, does this straighten the boundary of the forest?

Mr. HAWLEY. It might in the case of an irregular boundary. It might occasionally involve a piece of land that would go out to the exterior boundary, to straighten it out, but the bill especially provides that it must be within the boundaries of the national forest.

Mr. BEGG. Another thing I can not quite understand from my own hasty study of the bill is what effect and how will we operate with a railroad incorporated within a national forest reserve, and how is that going to affect the value of the stumpage so as to increase it from a dollar and a quarter an acre to \$3 an acre.

Mr. HAWLEY. The bill itself does not contain any provision relating to such a railroad, although the report makes such reference. How railroad construction can increase the value of stumpage can be shown by illustration. In the southwestern part of my State the United States has a large area in national forests, and I use that as an illustration because it is not connected with the particular section affected by this bill. The private company built a logging railroad about 46 miles long, which made accessible for market all of the Government's holdings along that line. The stumpage on the Government holdings had been, prior to the construction of the railroad, a dollar and a half per thousand, but by reason of the accessibility, because the railroad is accessible to logs on the Government's holdings as well as to those on private holdings, the price of stumpage went up to about \$3 to \$3.50 per thousand.

Mr. BEGG. I grant that if a new railroad is run into the territory that might happen, but the railroad is already there now.

Mr. HAWLEY. There is nothing in the bill relative to such railroad construction, nor do I know of any that is contemplated in any part of the areas affected.

Mr. BEGG. I would like to get some information from somebody who knows about it. Is it proposed that we are going to buy the railroad?

Mr. HAWLEY. No.

Mr. BEGG. Are we going to build one?

Mr. HAWLEY. No.

Mr. BEGG. How can this railroad that is already there increase the price of the Government stumpage if we buy some of their cut-over land?

Mr. HAWLEY. Unless we by our exchange acquire lands more accessible to the railroads than were the lands exchanged for them.

Mr. BEGG. Does the gentleman expect that some private interest is going to exchange lands contiguous to a railroad for lands away off that are inaccessible? Does he think that is liable to happen?

Mr. HAWLEY. An operating company in a certain place might have a railroad of its own, and it might want to block in its own area for more convenient purposes of handling its logs, so that it would not have to build over areas on which they owned no timber, and would be willing to exchange that land for other lands with timber on them of equal value and quality. It would be to the advantage of the Government to

obtain them if it blocked up its own lands in the process and obtained in the exchange property of equal value. It reduces the cost of administration.

Mr. BEGG. I am frank to say I can not see anything at all in this bill that is of advantage to the Government.

Mr. HAWLEY. The bill was introduced because it was to the advantage of the Government. In many areas the land is checkerboarded—

Mr. BEGG. I understand that; but how does that increase the value of the stumpage? Now, the timber is worth so much and it depends upon the proximity to a railroad, and one of the inducements for passing this bill is that it gives encouragement to railroads to enter the reserve, thereby increasing the stumpage value from a dollar and a half to \$3.

Mr. HAWLEY. I do not think the gentleman is correct.

Mr. BEGG. I know I am correct; I have seen the report.

Mr. HAWLEY. The gentleman is reading from the report, not from the provisions of the bill. The statement in the report was probably taken from an incidental statement made in the hearings, upon the effect of improving the facilities for handling logs and blocking in holdings.

Mr. BUTLER. Will the gentleman permit a question?

Mr. HAWLEY. Yes.

Mr. BUTLER. Is there some man in the State of Oregon who is willing to give the Government something that is worth anything for nothing?

Mr. HAWLEY. This does not apply to Oregon, only to the Atlantic States.

Mr. BUTLER. It applies to our part of it.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The Clerk read as follows:

*Be it enacted, etc.,* That section 7 of an act entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," approved March 1, 1911, be, and the same is hereby, amended by adding the following proviso thereto:

"Provided further, That with the approval of the National Forest Reservation Commission as provided by sections 6 and 7 of this act, and when the public interests will be benefited thereby, the Secretary of Agriculture be, and hereby is, authorized, in his discretion, to accept on behalf of the United States title to any lands within the exterior boundaries of national forests acquired under this act which, in his opinion, are chiefly valuable for the purposes of this act, and in exchange therefor to convey by deed not to exceed an equal value of such national forest land in the same State, or he may authorize the grantor to cut and remove an equal value of timber within such national forests in the same State, the values in each case to be determined by him: *And provided further,* That before any such exchange is effected notice of the contemplated exchange reciting the lands involved shall be published once each week for four successive weeks in some newspaper of general circulation in the county or counties in which may be situated the lands to be accepted, and in some like newspaper published in any county in which may be situated any lands or timber to be given in such exchange. Timber given in such exchanges shall be cut and removed under the laws and regulations relating to such national forests, and under the direction and supervision and in accordance with the requirements of the Secretary of Agriculture. Lands so accepted by the Secretary of Agriculture shall, upon acceptance, become parts of the national forests within whose exterior boundaries they are located, and be subject to all the provisions of this act."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HAWLEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### UPPER MISSISSIPPI WILD-LIFE AND FISH REFUGE

The next business on the Consent Calendar was H. J. Res. 335, to amend section 10 of the act entitled "An act to establish the upper Mississippi River wild-life and fish refuge."

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. BLANTON. Mr. Speaker, I object.

#### PUBLIC BUILDING, DECATUR, ALA.

The next business on the Consent Calendar was the bill (H. R. 374) to increase the limit of cost of the public building at Decatur, Ala.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LEHLBACH. Mr. Speaker, I object.

## RESTORATION OF FORT M'HENRY, IN BALTIMORE, MD.

The next business on the Consent Calendar was the bill (H. R. 5261) to repeal and reenact chapter 100, 1914, public, No. 108, to provide for the restoration of Fort McHenry, in the State of Maryland, and its permanent preservation as a national park and perpetual national memorial shrine as the birthplace of the immortal Star-Spangled Banner, written by Francis Scott Key, for the appropriation of the necessary funds, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. BLANTON. Mr. Speaker, reserving the right to object, how much is this going to cost?

Mr. HILL of Maryland. Mr. Speaker, the authorization contained in here by the committee amendment is for \$50,000. It is expected to cost less, but the old fort where was recently erected the Francis Scott Key monument is in a dreadful condition and ought to be preserved and be consecrated to the memory of the Star-Spangled Banner.

Mr. BLANTON. How far off the National Old Trail is that?

Mr. HILL of Maryland. It is only about a mile off I think. It is down in that general region on the waterfront, and I should say it is about a mile off that trail, and it is a place which would be visited a great deal. There is the Key Highway and the city of Baltimore has spent a large sum of money in order to make it available.

Mr. BLANTON. I do not like to object, but it occurs to me somebody ought to object.

Mr. HILL of Maryland. I am obliged to the gentleman for not objecting to the consideration of this bill and I hope no one will object.

I shall take but a moment to explain this bill, since it is not necessary for me to enlarge upon the historic significance of Fort McHenry, nor is it necessary to deal at length with the immediate necessity of restoring to its original condition, as far as possible, and of preserving in perpetuity that historic spot where the "Star-Spangled Banner" had its origin.

The Committee on Military Affairs held full hearings upon the pending bill, which was introduced by our colleague, the gentleman from Maryland [Mr. LINTHICUM]. At this hearing were present the Hon. Charles P. Coady, formerly a Representative from Maryland, and a number of representatives of patriotic societies of national importance, and others interested in the preservation of historic shrines dedicated to American history. It appeared in the hearings that President Harding had dedicated at Fort McHenry the Key Monument, the preservation of which is in danger by the present condition of Fort McHenry.

I recall with great pleasure the address made on that occasion by the then Assistant Secretary of War, our present colleague, the gentleman from New York, Colonel WAINWRIGHT, and, with your permission, I will here insert this address for your information.

Colonel WAINWRIGHT, at Fort McHenry on June 14, 1922, when presenting the Key Monument on behalf of the War Department to President Harding, on behalf of the Nation, made the following remarks:

Mr. President, fellow Americans, and distinguished guests, it is most appropriate that on Flag Day at this point in Maryland we should dedicate a monument to Francis Scott Key, the author of the Star-Spangled Banner, and to the soldiers and the sailors who fought to preserve our liberties in the battle of North Point and the attack on Fort McHenry. For here occurred the stirring event that inspired Key's poetic gift and patriotic soul to pen those immortal lines which constitute our national anthem. Stirred by the noble memories revived by the centennial of the repulse of the attack on Fort McHenry the Congress of the United States in 1914 made suitable provision out of the public funds to erect a monument to Key and the other patriots I have named. It confided to the Secretary of War the duty to arrange for and supervise the execution of the work. An admirable and fair program of competition, as well as the moving and inspiring nature of the task, invoked the earnest efforts of many of our most talented and famous sculptors. The design finally selected, that of the sculptor Niehaus and the architect Warren, reflects as high and noble a product of the sculptor's art as has yet adorned this or any other land. The bronze heroic figure, that of the god Orpheus, playing on a primitive harp made from a ram's horn and a turtle shell, portrays with appropriate allegory "The Spirit of Music." Its rare beauty, life, and grace must impress the gaze of all. The statue stands 25 feet 3 inches tall. The medallion portrait which adorns the marble base beneath the statue is that of Key. The flanking figures symbolize the two great arms of the Nation's strength, the Army and the Navy. The procession of other figures circling the base personifies the classic graces—

music, the dance, literature, and religion. The base is 10 feet 7 inches high, the entire monument 42 feet 7 inches high. The statue is the largest single cast of bronze yet made. The somewhat unsightly character of the surroundings need give us no concern, since this memorial will ultimately have an appropriate setting in what will be known as Fort McHenry Park. The Secretary of War has had the cooperation of many distinguished officials, citizens, and authorities on art in this city of Baltimore. To all these and to others who have contributed to the realization of this work he bids me express his deep appreciation for their counsel and assistance. The Secretary of War trusts that you, sir, the Congress, and all our people will be well satisfied with what has been accomplished. This monument is the tribute of all the people and of all the States to a high-souled patriot who rendered a great service to his country and to the valor of the noble men who preserved this portion of our soil inviolate.

Mr. President, on behalf of the War Department, I have the honor and the high privilege to present through you to the Nation this monument, to stand for all time to inspire devotion to our beloved country and to her starry flag.

Fort McHenry will always stand in the hearts of the American people as a great shrine of our history and liberties. There can be no hesitation in the minds of this House that the spot which is sacred to the origin of the Star-Spangled Banner should be preserved in perpetuity. No man who has heard the Star-Spangled Banner ring across the battle fields where America has stood for her freedom can fail to respond to the demand of patriotic men and women that Fort McHenry be thus perpetuated. I hope the bill will pass. [Applause.]

Mr. LINTHICUM. Mr. Speaker, by virtue of an act passed by Congress in 1914 now known as chapter 100, 1914, Public No. 108, Fort McHenry was transferred to the city of Baltimore for park purposes, with the understanding that in the event the National Government should need it for war purposes it should have the right to repossess it at any time. It was not thought then nor could anyone realize that this old property would ever be needed again for war purposes, it being located now within the city of Baltimore and absolutely useless as a defense.

The unexpected, however, happened. War was declared by our Government against the German Empire and subsequently against the Austrian Empire, and the old fort took its position, not as a defense to the great city of Baltimore, which is now built up to its very gates, but as a great hospital for the care of the sick and wounded. The model immigration station constructed within the fort grounds, having a large administration building, receiving station and pier, a hospital, power plant, and all the requisites for an immigration plant, became the nucleus of the various hospital buildings which eventually covered almost the entire 48 or more acres of the fort ground.

The War Department, having completed its use of the fort and its buildings, is now ready to turn it over as a memorial for the immortal Francis Scott Key, who, on the *Minden*, anchored in the harbor, wrote the Star-Spangled Banner in 1814, and for whom the Government has erected a monument costing more than \$100,000, facing the harbor of Baltimore, and the scene of the battle between the British squadron in their attack upon the fort.

This bill provides for the removal and sale of the temporary buildings erected for hospital purposes and all other material of no further use to the Government, and out of the money received for such buildings and material authorization is made for the appropriation of \$50,000 to place the old fort in its original condition and to make it a place worthy of its historic and sentimental history.

It is estimated that these repairs and restorations can be made for that sum, as shown by the following statement:

Star fort:	
Painting new roofs and miscellaneous repairs to six buildings, at \$700 each	\$4,200
Sodding, stone coping, roads, and walks	2,000
Repairs to outside brick wall	1,000
	7,200
Detached emplacement opposite sally port:	
Pointing up brickwork, sodding, steps, etc.	600
Upper water battery:	
Sodding, grading, repairing walls and magazine doors	3,000
Roads:	
New macadam $\frac{3,380 \times 14}{9} = 5,256$ square yards, at \$3	15,768
Removing 3,000 yards of cinder road, at 40 cents	1,440
Straightening roads and removing portions not used	1,792
	19,000
Entrance:	
New approach and iron gates	1,800
Grading:	
Regrading and landscape gardening, 36 acres, at \$400 per acre	14,400
Miscellaneous:	
Procuring and setting up old guns, placing tablets, etc.	4,000

## SUMMARY

Star Fort.....	\$7, 200
Detached emplacement.....	600
Upper water battery.....	3, 000
Roads.....	19, 000
Entrance.....	1, 800
Grading.....	14, 400
Miscellaneous.....	4, 000
Total.....	50, 000

If this bill is enacted into law, then Fort McHenry becomes a national park and a perpetual national memorial, which seems but fitting when we realize the importance of this hallowed ground in the history of the Nation.

From a London newspaper of June 17, 1814:

It is understood that the grand expedition preparing at Bordeaux for America under the gallant Lord Hill, is destined for the Chesapeake direct. Our little army in Canada will at the same time be directed to make a movement in the direction of the Susquehanna and both armies will, therefore in all probability, meet at Washington, Philadelphia, or Baltimore. The seat of the American Government, but more particularly Baltimore, is to be the main object of attack. In the diplomatic circles it is also rumored that our naval and military commanders on the American station have no power to conclude any armistice or suspension of arms. They carry with them certain terms, which will be offered to the American Government at the point of the bayonet. The terms are not made public; but there is reason to believe that America will be left in a much worse situation as a naval and commercial power than she was at the commencement of the war.

From this it appears it was the intention of the British that they would endeavor to effect a junction at some point in the interior of the United States, and that it was the purpose of the southern expedition to occupy an Atlantic coast port as a base of operation. In the South the British land and naval forces mobilized at Bermuda, and on August 3, 1814, set sail for the Chesapeake Bay, the troops under command of Maj. Gen. Robert Ross, veterans of the European campaigns and Wellington's tried troops, and the navy under Admiral Cochrane. Sir George Prevost on September 5, 1814, advanced to capture Plattsburg with four brigades, which had crossed the Canadian border, numbering 11,000 men, not including the Canadian militia. It was purposed to capture Plattsburg and open the way down Lake Champlain for its juncture and co-operation with the forces of the South.

History tells us how Washington was captured, public buildings destroyed, and consternation spread throughout the States of the American Republic. The Capitol, the White House, and department buildings remained but charred ruins. Without orders from his Government, Ross converted his campaign, which till then had been creditable to himself and flattering to British pride, into a marauding raid and of which no Englishman spoke without mortification. With hatred in their hearts, they embarked in their vessels, returned to the Chesapeake, and made for the mouth of the Patapsco. Inspired by his success, Ross boasted he would make his winter quarters in the town commonly designated by the British as a "nest of pirates." "It is a doomed town," declared Vice Admiral Warren, both referring to Baltimore. "The American Navy must be annihilated," said a London paper. The ships numbered around 50. Some entered the river while others proceeded to North Point, at the mouth of the river and 12 miles from Baltimore. The force landed consisted of about 9,000 men, viz, 5,000 soldiers, 2,000 marines, and 2,000 sailors; the first under Major General Ross and the latter under Admiral Cochrane. Works were erected at North Point to arrest their progress. General Ross met his fate early in the engagement, shot by two young Marylanders, Daniel Wells and Henry McComas, members of Aisquith's Rifle Corps, and to them a monument is now erected in Baltimore.

Suffice it to say the British were driven back at North Point, entered their ships, and departed, while Admiral Cochrane, after bombarding Fort McHenry, was finally driven off, and the city of Baltimore saved from capture and, possibly, destruction. It was during this engagement at Fort McHenry that Francis Scott Key came to Baltimore to secure the release of his brother-in-law, Doctor Beanes, a physician of Upper Marlboro. He had gone on board in the cartel ship *Minden* in company with Colonel Skinner under protection of a flag of truce and was himself detained during the expedition. They were placed on board the *Surprise* and courteously treated and finally transferred to their own vessel, the *Minden*, anchored in sight of the fort.

Of vivid and poetic temperament, he felt deeply the danger and the long and terrible hours which he passed in sight of the conflict, the result of which he could not know. It was under

these circumstances that he composed The Star-Spangled Banner, descriptive of the scenes of that doubtful night and of his own excited feelings. Upon the coming morn, uncertain of its results, his eyes sought for the flag of his country and he asked in doubt:

Oh, say can you see by the dawn's early light,  
What so proudly we hail'd at the twilight's last gleaming,  
Whose broad stripes and bright stars thru the perilous fight  
O'er the ramparts we watch'd, were so gallantly streaming?  
And the rockets' red glare—the bombs bursting in air,  
Gave proof through the night that our flag was still there,  
Oh say does that Star-Spangled Banner yet wave,  
O'er the land of the free and the home of the brave?

and then as through "the mists of the deep" dimly loomed that gorgeous banner fluttering in the first rays of the morning's sun, he exclaims triumphantly—

'Tis the Star-Spangled Banner, oh long may it wave,  
O'er the land of the free and the home of the brave.

This outburst of the patriot and the poet's heart thrilled through the souls of his brethren; they took it up; it swelled from millions of voices, and the Star-Spangled Banner became the national anthem. It was worth more than thousands of swords, in that it consolidated the country and made it one solid fighting unit. The conflict of Fort McHenry became the last battle of the War of 1812. While not great in numbers, it was certainly one of the decisive battles of the world, in that it forever established the absolute independence of the States commercially and otherwise.

The result—

HEADQUARTERS, HAMPSTEAD HILL,  
Baltimore, September 14, 1814—10 a. m.

HON. JAMES MONROE,

Acting Secretary of War.

SIR: I have the honor of informing you that the enemy, after an unsuccessful attempt, both by land and water on this place, appear to be retiring.

We have a force hanging on their rear.

I have the honor to be your obedient servant,

(Signed) S. SMITH,  
Major General Commanding.

P. S.: The enemy's vessels in the Patapsco are all under way going down the river. I have good reason to believe that General Ross is mortally wounded—

as per the concise message sent by courier to Washington from General Smith.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

*Be it enacted, etc.*, That an act authorizing the Secretary of War to grant the use of the Fort McHenry Military Reservation in the State of Maryland to the mayor and city council of Baltimore, a municipal corporation of the State of Maryland, making certain provisions in connection therewith, providing access to and from the site of the new immigration station heretofore set aside be, and hereby is, repealed and reenacted to read as follows:

"That the Secretary of War be, and he is hereby, authorized and directed so soon as it may no longer be needed for uses and needs growing out of the late war, to begin the restoration of Fort McHenry, in the State of Maryland, now occupied and used as a military reservation, including the restoration of the old Fort McHenry proper to the condition in which it was on the 1st of September, 1814, and to place the whole of said military reservation in such a condition as would make it suitable for preservation permanently as a national park and perpetual national memorial shrine as the birthplace of the immortal Star-Spangled Banner, written by Francis Scott Key, and that the Secretary of War be, and he is hereby, further authorized and directed, as are his successors, to hold the said Fort McHenry in perpetuity as a military reservation, national park, and memorial, and to maintain it as such, except that part mentioned in section 3 hereof, and that part now in use by the Department of Commerce for a light and fog-signal station under revokable license from the War Department with the maintenance of the electric lights thereto, the said reservation to be maintained as a national public park, subject to such regulations as may from time to time be issued by the Secretary of War: *Provided*, That the citizens of Baltimore city and of the State of Maryland shall be given as free and full access to and use of said national park as they would enjoy if this were a part of the park system of Baltimore city.

"That any and all repairs, improvements, changes, and alterations in the grounds, buildings, and other appurtenances to the reservation shall be made only according to detailed plans which shall be approved by the Secretary of War, and all such repairs, improvements, or alterations shall be made at the expense of the United States, and all such improvements, together with the reservation itself, shall become and re-

main permanently the property of the United States: *Provided*, That permission is hereby granted the Secretary of the Treasury to use permanently a strip of land 60 feet wide belonging to said fort grounds, beginning at the north corner of the present grounds of the fort and extending south 63° 30' east, 650 feet to the south corner of the site set aside for the immigration station at Baltimore, said strip of land being located along the northwest boundary of the land ceded to the Baltimore Dry Dock Co. and the land of the said immigration station, the same to be used, if so desired, in lieu of acquiring, by purchase or condemnation, any of the lands of the dry dock company so that the Secretary of the Treasury may, in connection with land acquired from the Baltimore & Ohio Railroad Co., have access to and from said immigration station and grounds over the right of way so acquired to the city streets and railroads beyond, the Secretary of the Treasury to have the same power to construct, contract for, and arrange for railroad and other facilities upon said outlet as fully as provided in the act approved March 4, 1913, setting aside a site for an immigration station and providing for an outlet therefrom: *Provided, however*, That if the Secretary of the Treasury accepts and makes use of said strip of land for the purposes aforesaid the War Department shall have equal use of the railroad track and other roads constructed over which to reach the city streets and railroads beyond from the other parts of the fort grounds: *Provided further*, That the Secretary of War may, in case of a national emergency or war temporarily, and only for the period of such war, close the said military reservation and use it, if he shall deem it to be necessary, for military purposes.

"That there is hereby authorized to be appropriated, out of any funds in the Treasury of the United States not heretofore appropriated, the sum of \$100,000, or so much thereof as may be necessary, for use by the Secretary of War in the restoration of said military reservation and for other purposes consistent with this act, and the further sum of \$10,000 annually for the maintenance and care of the reservation."

The committee amendments were read as follows:

Page 2, line 11, strike out "The condition in which it was on the 1st of September, 1814, and to place the whole of said military reservation in."

Page 2, line 24, strike out the word "lights" and insert the word "lines," and after line 24 insert: "and such portions of the reservation, including improvement, as may be reserved by the Secretary of War for the use of the Chief of Engineers."

Page 3, strike out lines 5, 6, 7, and 8.

Page 4, after the word "further," in line 18, strike out "That the Secretary of War may, in case of a national emergency or war, temporarily, and only for the period of such war, close the said military reservation and use it, if he shall deem it to be necessary, for military purposes," and insert: "That the Secretary of War may, in case of a national emergency, close the said military reservation and use it for any and all military purposes during the period of the emergency, and for such period of time thereafter as the public needs may require: *And provided further*, That the Secretary of War is hereby authorized and directed to dispose of the useless temporary buildings and contents constructed during the recent war, and from the proceeds thereof there is hereby authorized to be appropriated such sum as may be necessary, not exceeding \$50,000, for use by the Secretary of War in the restoration of said Fort McHenry Reservation and for other purposes consistent with this act."

Page 5, strike out all of lines 9 to 16, inclusive.

The question was taken, and the amendments were agreed to. The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. HILL of Maryland, a motion to reconsider the vote by which the bill was passed was laid on the table. The SPEAKER. The Clerk will report the next bill.

#### LIVESTOCK EXPERIMENT STATION AT MANDAN, N. DAK.

The next business on the Consent Calendar was the bill (H. R. 4495) to provide for the establishment of a dairying and livestock experiment station at Mandan, N. Dak.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. BEGG. Mr. Speaker, I think I shall object to that.

The SPEAKER. Objection is made. The Clerk will report the next bill.

Mr. ALMON. Mr. Speaker, I ask unanimous consent that the bill H. R. 374 may remain on the calendar. I think it was objected to under a misapprehension.

Mr. BLANTON. It remains anyhow.

The SPEAKER. It can be put on the calendar again by the gentleman.

#### ADDITIONAL JUDGE, DISTRICT OF MARYLAND

The next business on the Consent Calendar was the bill (H. R. 5083) to create an additional judge in the district of Maryland.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. McKEOWN. Mr. Speaker, I think I will object to that.

The SPEAKER. The gentleman from Oklahoma objects. The Clerk will report the next bill.

#### APPRAISER OF MERCHANDISE AT PORTLAND, OREG.

The next business on the Consent Calendar was the bill (S. 3352) to provide for the appointment of an appraiser of merchandise at Portland, Oreg.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.*, That on and after the passage of this act the Secretary of the Treasury is authorized and directed to appoint, pursuant to the civil service laws and regulations, an appraiser of merchandise at Portland, Oreg., prescribe his duties when not otherwise defined by law, and fix his compensation.

SEC. 2. So much of paragraph 3 of section 2587 of the Revised Statutes as provides for the appointment of an appraiser of merchandise at Portland, Oreg., is hereby repealed.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read a third time, and passed.

The SPEAKER. The Clerk will report the next bill.

#### YUMA RESERVATION PROJECT, ARIZ.

The next business on the Consent Calendar was the bill (H. R. 10279) for the completion of first Mesa division of the Yuma auxiliary reclamation project, Arizona, and for other purposes.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

There was no objection.

Mr. HAYDEN. Mr. Speaker, I ask unanimous consent to substitute Senate Joint Resolution 172 for this bill.

The SPEAKER. The gentleman from Arizona asks unanimous consent to substitute the resolution S. J. Res. 172 for the House bill. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the Senate joint resolution.

The Clerk read as follows:

Joint resolution (S. J. Res. 172) to appropriate certain amounts for the Yuma irrigation project, Arizona, and for other purposes

*Resolved, etc.*, That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$200,000, to be paid out of the reclamation fund established by the act of June 17, 1902 (32 Stat. p. 388), for operation and maintenance and completion of construction of the irrigation system required to furnish water to all of the irrigable lands in part 1 of the Mesa division, otherwise known as the first Mesa unit of the Yuma auxiliary project, authorized by the act of January 25, 1917 (39 Stat. p. 868), as amended by the act of February 11, 1918 (40 Stat. p. 437): *Provided*, That all moneys received by the United States in payment of land and water rights in said part 1 of the Mesa division, beginning one year from the date this act becomes effective, shall be covered into the reclamation fund until the sum advanced from said fund hereunder is fully paid: *Provided further*, That the purchase price of land and water rights hereafter sold in said part 1 of the Mesa division shall be paid to the United States in 10 equal installments, the first of which shall be due and payable at the date of the purchase, and the remaining installments annually thereafter, with interest on deferred installments at the rate of 6 per cent per annum, payable annually; and the Secretary of the Interior is authorized, at any time within one year from the date this act becomes effective, to amend any existing uncompleted contract for the purchase of land and water rights, so that the aggregate amount of principal and interest remaining unpaid under such contract may be paid in 10 equal installments in accordance with the conditions of this proviso, beginning with the date of amendatory contract: *And provided further*, That land and water rights in said part 1 of the Mesa division heretofore or hereafter offered at public sale under said act of January 25, 1917, and not disposed of at such public sale may be sold later at private sale at not less than \$25 per acre for the land and at \$200 per acre for the water right, and a corporation may purchase land and water rights at any such sale, either public or private, and receive patent therefor.

Mr. HAYDEN. Mr. Speaker, I move to strike out at the end of the resolution the words "and a corporation may purchase land and water rights at any such sale, either public or private, and retain patent therefor."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CARTER. Mr. Speaker, may I ask the gentleman from Arizona whether this first division of the Yuma Mesa is what is called the "Beloved Mesa"?

Mr. HAYDEN. Yes; that is the "Beloved Mesa."

The SPEAKER. The question is on the third reading of the Senate joint resolution.

The Senate joint resolution, as amended, was ordered to be read a third time, was read the third time, and passed.

The SPEAKER. The similar House bill will, without objection, be laid on the table.

There was no objection.

The SPEAKER. The Clerk will report the next bill.

#### OLD FORT VANCOUVER STOCKADE

The next business on the Consent Calendar was the bill (H. R. 10472) to provide for restoration of the old Fort Vancouver stockade.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of War is authorized and directed to restore or rebuild, in a manner historically accurate as to dimension and architecture, the building known as the Old Fort Vancouver Stockade. Such restoration or rebuilding shall be in close proximity to the site of the stockade structure originally built by the Hudson's Bay Co., within the present limits of the United States Military Reservation at Vancouver Barracks, in the State of Washington, and shall be completed on or before July 1, 1925.

SEC. 2. The sum of \$60,000, or so much thereof as may be necessary, is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of carrying out the provisions of section 1 of this act.

With committee amendments as follows:

Page 1, line 3, strike out the words "and directed to restore or rebuild" and insert in lieu thereof the words "to permit and cooperate in the restoration or rebuilding"; and on page 2, strike out all of lines 3 to 7, inclusive.

The SPEAKER. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER. The Clerk will report the next bill.

#### LOPEZ AND SHAW ISLANDS, WASH.

The next business on the Consent Calendar was the bill (H. R. 10687) granting to the county authorities of San Juan County, State of Washington, certain described tracts of land on the abandoned military reservations on Lopez and Shaw Islands as a right of way for county roads, and for other purposes.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. BLANTON. Reserving the right to object, Mr. Speaker, what is the necessity of this bill? What interest have the people in it?

Mr. HADLEY. I will say to the gentleman that these abandoned military reservations are being sold under the act of 1884, under which they are disposed of in pursuance of an Executive order made about two years ago. The county of San Juan, in the State of Washington, is interested in getting a right of way for county roads on these two military reservations on Lopez and Shaw Islands.

Mr. BLANTON. This is a military reservation?

Mr. HADLEY. Yes, sir.

Mr. BLANTON. Why does not the gentleman get a report from the Secretary of War on it and not a report from the Secretary of the Interior?

Mr. HADLEY. I will state, Mr. Speaker, that these abandoned military reservations were transferred under an Executive order in 1923 from the War Department to the Depart-

ment of the Interior. The War Department has no more jurisdiction over these particular reservations. The Department of the Interior has jurisdiction, and under the act of 1884 has power to dispose of and sell those properties.

Mr. BLANTON. What are we to get from that act?

Mr. HADLEY. That act of 1884 provides that this land shall be sold after appraisal for not less than \$1.25 per acre. This bill is to give to the county the right of maintaining a roadway over the reservations.

Mr. BLANTON. This is not an attempt to have the property itself turned over.

Mr. HADLEY. Oh, no.

Mr. BLANTON. This merely provides a right of way through the property.

Mr. HADLEY. That is all. It merely provides for a right of way for the construction of highways for public use before the land is sold.

Mr. BLANTON. Are the Government's interests properly protected if it should ever want this easement back again?

Mr. HADLEY. I think there is a general law which applies to such rights of way.

The SPEAKER. Is there objection?

There was no objection.

Mr. HADLEY. Mr. Speaker, I ask unanimous consent to substitute Senate bill 3648.

The SPEAKER. Without objection, an identical Senate bill will be substituted.

There was no objection.

The Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That a right of way for the construction of highways over the following-described tracts of land on the abandoned military reservation on Lopez and Shaw Islands, county of San Juan, State of Washington, is hereby granted:

Beginning at a point on the military reservation on north end of Lopez Island five hundred and sixty-six and fifty-two one-hundredths feet north of corner to sections 1, 2, 11, and 12, township 35 north of range 2, west Willamette meridian, being the south boundary of reserve; thence north three thousand three hundred and fifty-five and eighty-five one-hundredths feet; thence north twenty-eight degrees twenty-five minutes east three hundred and forty-six and three-tenths feet; thence north thirty-nine degrees fifty-one minutes east four hundred and ninety-nine and three-tenths feet; thence north twenty degrees five minutes west four hundred and thirty-four feet; thence north naught degrees nineteen minutes east two hundred and forty-four and four-tenths feet; thence north twenty-six degrees forty-one minutes east eight hundred and sixty-two feet; thence north twenty-nine degrees fifteen minutes east two hundred and thirteen and five-tenths feet; thence north fourteen degrees twenty-three minutes east two hundred and forty-one feet; thence north twenty-nine degrees thirty-four minutes east four hundred and sixty-six and five-tenths feet; thence north thirteen degrees forty-nine minutes east one hundred and thirty-three and nine-tenths feet; thence north six degrees fifty-five minutes east one hundred and sixteen and seven-tenths feet; thence north twenty-four degrees twenty minutes west fifty-nine feet; thence north five degrees twelve minutes west one hundred and eighty-seven feet; thence north fifty-three degrees thirty minutes east twenty-three and five-tenths feet; thence south sixty-three degrees fifty-nine minutes east sixty-five feet to the approach to ferry landing.

Also beginning at a point one thousand and forty-five and nine one-hundredths feet north of south boundary of reserve on section line between sections 1 and 2; thence north fifty-seven degrees twenty-one minutes west eight hundred and six and four-tenths feet; thence north four degrees thirty minutes east two hundred and sixty-five and five-tenths feet to a point on the shore of Malls Bay.

Also beginning at a point on the west one-sixteenth line of section 34, township 36 north of range 2 west, Willamette meridian, nine hundred and seventy feet south of west one-sixteenth corner at intersection of the north boundary of the military reservation on Shaw Island; thence south two thousand six hundred and fifteen feet; thence south thirty degrees fifty minutes west four hundred and thirty-six and seventy-seven one-hundredths feet; thence west on the south one-sixteenth line one thousand five hundred and fifty feet to the west boundary of the military reservation.

The bill was ordered to be read a third time, was read the third time, and passed.

The SPEAKER. Without objection, the title will be amended and a similar House bill will be laid on the table.

There was no objection.

#### SITE OF THE BATTLE OF FRANKLIN, TENN.

The next business on the Consent Calendar was the bill (H. R. 10771) authorizing the acquisition of land and suitably marking the site of the Battle of Franklin, Tenn.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of War be, and he is hereby, authorized and directed to acquire, by purchase when purchasable at prices deemed by him reasonable, otherwise by condemnation under the procedure prescribed by the laws of Tennessee, such tracts of land as are deemed by him necessary and desirable for suitable designation of the site of the Battle of Franklin, Tenn., and to obtain and place on said tracts appropriate markers: *Provided,* That the entire cost of acquiring and marking said tracts, including cost of condemnation proceedings, if any, ascertainment of title, surveys, and compensation for the land, shall not exceed the sum of \$20,000. And the sum of \$20,000, or so much thereof as may be necessary, is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to be expended for the purposes of this act.

With the following committee amendments:

Page 1, line 6, strike out the words "under the procedure prescribed by the laws of Tennessee."

Page 2, line 4, after the word "hereby," insert the words "authorized to be."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

#### CLAIM OF THE STATE OF RHODE ISLAND

The next business on the Consent Calendar was the bill (S. 3252) referring the claim of the State of Rhode Island for expenses during the war with Spain to the Court of Claims for adjudication.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the items of the claim of the State of Rhode Island against the United States for expenses incurred and paid in aiding the United States to raise its Volunteer Army in the war with Spain, which items, either in whole or in part, were rejected by the accounting officers of the Treasury Department, be, and the same are hereby, referred to the Court of Claims for adjudication and report to Congress.

The bill was ordered to be read a third time, was read the third time, and passed.

#### REFUNDS TO VETERANS OF THE WORLD WAR

The next business on the Consent Calendar was the bill (S. 2397) to provide for refunds to veterans of the World War of certain amounts paid by them under Federal irrigation projects.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That as used in this act—

(a) The term "veteran" includes any individual a member of the military or naval forces of the United States at any time after April 5, 1917, and before November 12, 1918; but does not include (1) any individual at any time during such period or thereafter separated from such forces under other than honorable conditions, (2) any conscientious objector who performed no military duty whatever or refused to wear the uniform, or (3) any alien at any time during such period or thereafter discharged from the military or naval forces on account of his alienage; and

(b) The term "reclamation law" means the act entitled "An act appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands," approved June 17, 1902, and all acts amendatory thereof or supplementary thereto.

SEC. 2. (a) Any veteran—who at any time since April 6, 1917, has made entry upon a farm unit within a Federal irrigation project under the reclamation law and (1) who no longer retains such entry because of cancellation by, or relinquishment to, the United States after or (2) who, prior to receipt by him of a final certificate in respect of such entry, but in no case more than one year after the date of passage of this act, desires to relinquish such entry—may, in accordance with regulations prescribed by the Secretary of the Interior, file application for the refund provided in subdivision (b). A veteran who has been compensated, in cash or otherwise, for any such relinquishment shall not be entitled to the benefits of this act, and before payment of such refund the Secretary of the Interior, under such regulations as he may prescribe, shall require proof that the veteran has not been so compensated.

(b) Upon receipt of such application the Secretary of the Interior is authorized to investigate the facts and, in his discretion, to pay as a refund to any such veteran entitled thereto, a sum equal to all amounts paid to the United States by such veteran, or for his account, as construction charges and as interest and penalties on such charges in respect of such unit. Every such refund so approved by the Secretary of the Interior shall be paid from the appropriation for the project on which the entry in question was made.

SEC. 3. (a) The estate of a veteran shall be entitled to the benefits of this act in any case where the veteran, if living, could have availed himself of such benefits. Application for such benefits shall be made by, and payments thereof shall be made to, the executor or administrator of such estate.

(b) A veteran (or his estate) accepting in respect of any farm unit the benefits of this act, shall be deemed thereby to have relinquished, in accordance with regulations prescribed by the Secretary of the Interior, all right, title, or interest of such veteran (or estate) in such farm unit and any improvements thereon.

SEC. 4. The Secretary of the Interior is authorized to cancel any application for permanent water right for any farm unit in respect of which a veteran (or his estate) has received the benefits of this act, and to terminate all rights and liabilities of such veteran (or estate) in respect of such application.

SEC. 5. The Secretary of the Interior is authorized to make such regulations as he deems necessary to execute the functions imposed upon him by this act.

The bill was ordered to be read a third time, was read the third time, and passed.

#### ISSUANCE OF PATENTS IN THE STATE OF SOUTH DAKOTA

The next business on the Consent Calendar was the bill (H. R. 11077) authorizing the issuance of patents to the State of South Dakota for park purposes of certain lands within the Custer State Park, now claimed under the United States general mining laws, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and is hereby, authorized and directed to issue to the State of South Dakota patents conveying title to any unpatented lands of the United States now held or claimed by virtue of locations made under the United States general mining laws, within the Custer State Park, not exceeding a total of 2,000 acres, upon evidence being furnished that all claim, right, title, and interest of such claimants have been transferred to the State. Patents so issued to the State of South Dakota shall be conditioned upon the lands being used for park purposes, and provide for the reversion of the lands of the United States in the event of failure to so hold and use: *Provided,* That the provisions of this act are limited to lands lying within the limits of the Custer State Park, within townships 3 and 4 south, range 6 east, and the east one-third of townships 3 and 4 south, range 5 east, Black Hills meridian.

With the following committee amendments:

Page 1, line 5, after the word "title," insert the words "but reserving the minerals therein."

Page 1, line 9, after the word "acres," insert the words "upon payment to the United States of \$1.25 per acre therefor, and."

Page 2, line 4, after the word "State," insert the words "or have been abandoned."

Page 2, line 8, insert: "The United States reserves all coal, oil, gas, or other minerals in the lands patented under this act with the right, in case any of said patented lands are found by the Secretary of the Interior to be more valuable for the minerals therein than for park purposes, to provide, by special legislation, having due regard for the rights of the State of South Dakota, for the disposition and extraction of the coal, oil, gas, or other minerals therein: *Provided,* That the provisions gas, or other minerals therein."

Mr. SINNOTT. Mr. Speaker, I move to amend the last committee amendment by striking out, on page 2, in lines 15 and 16, the following language:

*Provided,* That the provisions gas, or other minerals therein.

That is evidently a mistake on the part of the printer.

The SPEAKER pro tempore (Mr. LEHLBACH). The gentleman from Oregon offers an amendment to the committee amendment, which the Clerk will report.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. SINNOTT: Page 2, line 15, after the word "therein," strike out the words "*Provided,* That the provisions, gas, or other minerals therein."

The SPEAKER pro tempore. The question is on agreeing to the amendment to the committee amendment.

The amendment to the committee amendment was agreed to. The SPEAKER pro tempore. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

NATIONAL DEFENSE ACT

The next business on the Consent Calendar was the bill (S. 3760) to amend in certain particulars the national defense act of June 3, 1916, as amended, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLAND. Mr. Speaker, representing the Members of the Virginia delegation, we will object to the consideration of this bill unless there is an agreement to strike out section 2 of the bill, which inserts section 77½, a new section, in the national defense act. We are acting at the request of the adjutant general of Virginia.

Mr. FROTHINGHAM. Mr. Speaker, of course, if there is any objection the bill can not come up, and the only thing for me to do, in charge of the bill, is to assent and then leave the matter to conference. As a matter of fact, this section is an amendment of the present section 77 of the national defense act, and under that each State can now appoint one of these boards and remove an unfit officer. The only thing this does is to give that same power to the National Government; but, as I say, if objection is made the bill can not come up at all and the only thing to be done, I presume, is to save the rest of the bill, which has matters of great importance to the National Guard, and this bill is the only thing the National Guard has requested at this session of Congress.

Mr. BLAND. I will say this is the only objection we have to the bill, and in justification of that objection I call attention to correspondence with the adjutant general of Virginia, who says he thinks it would be very unwise to permit the Secretary of War to go over the heads of the governor and all other military authorities and to take from these State National Guard officers their power to render service by withdrawing Federal recognition. The delegation from Virginia objects to that provision of the bill, and upon an agreement to strike that out, we have no further objection.

Mr. BLACK of Texas. Mr. Speaker, reserving the right to object, this bill seems to cover a rather comprehensive scope. Will the gentleman tell the House briefly just what the bill is intended to accomplish? I have not had the time to read it carefully.

Mr. FROTHINGHAM. Mr. Speaker, while it looks as though the bill contained a great deal, as a matter of fact the gentleman will see by looking at the report that most of it covers law already on the statute books.

Mr. BLACK of Texas. Will the gentleman briefly state what changes are made?

Mr. FROTHINGHAM. The only new part is what is in italics here. The first section of this bill relates to reenlistment of men over 45 years of age. At present the National Guard can only have men up to 45 years of age. This allows them to reenlist men after they are 45, and thus enables them to retain a great many men who are over 45, but who are very useful as armorers and in other positions, not in the active service. It also takes care of warrant officers in the same way when they get to be over 45.

The second section has been stricken out.

The third section relates to the militia bureau and changes the name from the militia division to the militia bureau. It also provides that the head of that bureau must be an active officer in the National Guard, and can not be, as under the present law, a man who was once in the National Guard. It also provides that the retirement age shall be 64 years of age for the head of that bureau, but that this shall not apply to the present head, who is over that age.

Mr. BLACK of Texas. Will the gentleman yield on that particular point? Under the present law does the National Guard officer have any retirement privileges?

Mr. FROTHINGHAM. The law is not changed in that respect. All this has been agreed to by the National Guard and the Regular Army.

Mr. BLACK of Texas. Is this bill unanimously concurred in by the Military Affairs Committee?

Mr. FROTHINGHAM. Absolutely.

Mr. BLACK of Texas. I will say to the gentleman that if the bill has had a unanimous report from the Committee on Military Affairs I shall not interpose an objection.

Mr. MCKENZIE. May I say just one word to the gentleman from Texas and to the Members of the House? This legis-

lation does not impose any additional expense on the Government. It simply corrects a few things in the present law.

Mr. BLACK of Texas. I shall not object and withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill.

*Be it enacted, etc.,* That section 58 of the national defense act of June 3, 1916, as amended, be, and the same is hereby, amended to read as follows:

"Sec. 58. Composition of the National Guard: The National Guard shall consist of regularly enlisted men who upon original enlistment shall be not less than 18 nor more than 45 years of age, or who in subsequent enlistments shall not be more than 64 years of age, organized, armed, and equipped as hereinafter provided, and of commissioned officers and warrant officers between the ages of 21 and 64 years: *Provided*, That in cases of appointments of warrant officers or enlistments made in accordance with National Guard regulations, no payments heretofore made to such warrant officers and enlisted men for participating in exercises or performing the duties described in sections 92, 94, 97, and 99 of the national defense act of June 3, 1916, as amended, or any bona fide claim therefor, shall be held or considered invalid because such warrant officer or enlisted man was of an age greater than 45 years at the time of his appointment or enlistment or at the time of the performance of such duties."

SEC. 2. That said national defense act, as amended, be, and the same is hereby, further amended by inserting therein, immediately after section 77 thereof, a new section to be known as section 77½, and to read as follows:

"Sec. 77½. Withdrawal of Federal recognition: At any time the moral character, capacity, and general fitness for the service of any National Guard officer may be determined by an efficiency board of three commissioned officers senior in rank to the officer whose fitness for service shall be under investigation, appointed from the Regular Army or the National Guard or both, under such rules and regulations as may be prescribed by the Secretary of War; and if the board shall recommend the withdrawal of Federal recognition of such officer, the Secretary of War may, in his discretion, withdraw recognition accordingly."

Mr. BLAND. Mr. Speaker, I offer an amendment in accordance with the agreement.

The SPEAKER pro tempore. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLAND: Page 2, line 13, strike out section 2, beginning with line 13, on page 2, and extending to and including line 2 on page 3.

Mr. BLAND. Mr. Speaker, I do not care to discuss the amendment.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Virginia.

The amendment was agreed to.

The Clerk read as follows:

SEC. 3. That section 78 of the national defense act of June 3, 1916, as amended, be, and the same is hereby, amended to read as follows:

"Sec. 78. Men duly qualified for enlistment in the active National Guard may enlist in the National Guard Reserve for a period of one or three years, under such regulations as the Secretary of War shall prescribe, and on so enlisting they shall subscribe to the following enlistment contract and take the oaths therein specified: 'I do hereby acknowledge to have voluntarily enlisted this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, as a soldier in the National Guard of the United States and of the State of \_\_\_\_\_, to serve in the reserve thereof, or in the active National Guard of the United States and said State if transferred thereto, for a period of one (or three) year\_\_\_\_, unless sooner discharged by proper authority, and I do solemnly swear that I will bear true faith and allegiance to the United States of America and to the State of \_\_\_\_\_, and that I will serve them honestly and faithfully against all their enemies whomsoever and that I will obey the orders of the President of the United States and the Governor of the State of \_\_\_\_\_, and of the officers appointed over me according to law and the rules and Articles of War.' Under such regulations as the Secretary of War may prescribe, enlisted men of the active National Guard may be transferred to the National Guard Reserve; likewise, enlisted men hereafter enlisted in or transferred to the National Guard Reserve may be transferred to the active National Guard: *Provided*, That no enlisted man shall be required to serve under any enlistment for a longer time than the period for which he enlisted in the active National Guard or National Guard Reserve as the case may be. Members of said reserve, officers and enlisted men, when engaged in field or coast defense training with the active National Guard, shall receive the same Federal pay and allowances as those occupying

like grades on the active list of said guard when likewise engaged: *Provided further*, That except as otherwise specifically provided in this act, no commissioned or enlisted reservist shall receive any pay or allowances out of any appropriation made by Congress for National Guard purposes."

SEC. 4. That section 81 of the national defense act of June 3, 1916, as amended, be, and the same is hereby, amended to read as follows:

"SEC. 81. Militia Bureau of the War Department: The Militia Division of the War Department shall hereafter be known as the Militia Bureau of the War Department. The Chief of the Militia Bureau shall be appointed by the President, by and with the advice and consent of the Senate, by selection from lists of active federally recognized National Guard officers, recommended by the governors of the several States and Territories as suitable for such appointment, who have had 10 or more years' commissioned service in the active National Guard, at least five of which have been in the line, and who have attained at least the grade of major. The Chief of the Militia Bureau shall hold office for four years unless sooner removed for cause, shall be eligible to succeed himself and when he is 64 years of age he shall cease to hold such office. Upon accepting his office the Chief of the Militia Bureau shall also be appointed a major general in the Officers' Reserve Corps and shall be commissioned in the Army of the United States, which appointment and commission shall terminate when he ceases to hold such office. The Chief of the Militia Bureau shall have the rank, pay, and allowances of a major general provided in section 8 of the pay readjustment act of June 10, 1922, during his tenure of office, but shall not be entitled to retirement or retired pay. For duty in the Militia Bureau and for instruction of the National Guard, the President shall assign such number of officers and enlisted men of the Regular Army as he may deem necessary. The President may also assign, with their consent, to duty in the Militia Bureau three officers who, at the time of their initial assignment, are active federally recognized National Guard officers and who are reserve officers, and any such officer while so assigned shall receive the pay and allowances provided in the pay readjustment act of June 10, 1922, as amended, for officers of the National Guard when authorized by law to receive Federal pay. The President may also assign, with their consent and within the limits of the appropriations previously made for this specific purpose, not exceeding 500 officers of the active federally recognized National Guard, and who are reserve officers, to duty with the Regular Army, in addition to those attending service schools, and while so assigned they shall receive the pay and allowances authorized in the preceding sentence. In case the office of Chief of the Militia Bureau becomes vacant or the incumbent, because of disability, is unable to discharge the powers and duties of the office, the reserve officer, senior in rank on duty in the Militia Bureau, appointed from the National Guard, shall act as chief of said bureau until the incumbent is able to resume his duties, or the vacancy in the office is regularly filled. The pay and allowances provided in this section for the Chief of the Militia Bureau and for the reserve officers assigned to duty from the National Guard shall be paid out of the whole fund appropriated for the support of the National Guard. The age limitations herein prescribed shall not apply to the existing Chief of the Militia Bureau during his present term of office."

SEC. 5. That section 87 of the national defense act of June 3, 1916, as amended, be, and the same is hereby, amended to read as follows:

"SEC. 87. Disposition and replacement of damaged property, etc.: All military property issued to the National Guard as herein provided shall remain the property of the United States. Whenever any such property issued to the National Guard in any State or Territory or the District of Columbia shall have been lost, damaged, or destroyed, or become unserviceable or unsuitable by use in service or from any other cause, it shall be examined by a disinterested surveying officer of the Regular Army or the National Guard, detailed by the Secretary of War, and the report of such surveying officer shall be forwarded to the Secretary of War, or to such officer as he shall designate to receive such reports; and if it shall appear to the Secretary of War from the record of survey that the property was lost, damaged, or destroyed through unavoidable causes, he is hereby authorized to relieve the State or Territory or the District of Columbia from further accountability therefor. If it shall appear that the loss, damage, or destruction of property was due to carelessness or neglect, or that its loss, damage, or destruction could have been avoided by the exercise of reasonable care, the money value of such property shall be charged to the accountable State, Territory, or District of Columbia, to be paid from State, Territory, or District funds, or any funds other than Federal. If the articles so surveyed are found to be unserviceable or unsuitable, the Secretary of War shall direct what disposition by sale or otherwise shall be made of them; and if sold, the proceeds of such sale, as well as stoppages against officers and enlisted men, and the net proceeds of collections made from any person or from any State, Territory, or District to reimburse the Government for the loss, damage, or destruction of any property, shall be deposited in the Treasury of the United States as a credit to said State, Territory, or the District of Columbia,

accountable for said property, and shall remain available throughout the then current fiscal year and throughout the fiscal year following that in which the sales, stoppages, and collections were effected, for the purposes provided for in that portion of its allotment set aside for the purchase of similar supplies, stores, or material of war: *Provided*, That if any State, Territory, or the District of Columbia shall neglect or refuse to pay, or to cause to be paid, the money equivalent of any loss, damage, or destruction of property charged against such State, Territory, or the District of Columbia by the Secretary of War after survey by a disinterested officer appointed as hereinbefore provided, the Secretary of War is hereby authorized to debar such State, Territory, or the District of Columbia from further participation in any and all appropriations for the National Guard until such payment shall have been made: *Provided further*, That property issued to the National Guard and which has become unserviceable through fair wear and tear in service, may, after inspection thereof and finding to that effect made by an officer of the Regular Army designated by the Secretary of War, be sold or otherwise disposed of, and the State, Territory, or District of Columbia accountable shall be relieved from further accountability therefor; such inspection, and sale or other disposition, to be made under regulations prescribed by the Secretary of War, and to constitute as to such property a discretionary substitute for the examination, report, and disposition provided for elsewhere in this section."

SEC. 6. That the eighth paragraph of section 127a of the national defense act of June 3, 1916, as amended, be, and the same is hereby, amended to read as follows:

"Unless special assignment is made by the President under the provisions of the one hundred and nineteenth article of war, all officers in the active service of the United States in any grade shall take rank according to date, which, in the case of an officer of the Regular Army, is that stated in his commission or letter of appointment, and, in the case of a reserve officer or an officer of the National Guard called into the service of the United States, shall precede that on which he is placed on active duty by a period equal to the total length of active Federal service and service under the provisions of sections 94, 97, and 99 of this act which he may have performed in the grade in which called or any higher grade. When dates of rank are the same, precedence shall be determined by length of active commissioned service in the Army. When length of such service is the same, officers of the Regular Army shall take rank among themselves according to their places on the promotion list, preceding reserve and National Guard officers of the same date of rank and length of service, who shall take rank among themselves according to age."

SEC. 7. That the Secretary of War be, and he hereby is, authorized, in his discretion, to reconvey to the Monroe Water Supply Co. that portion of the lands in the State of Pennsylvania conveyed by the said company to the United States under its deed of June 12, 1915, and described in said deed as follows:

"No. 38. All that part of the warrantee tract in the name of William Sproat, situate in said township of Coolbaugh, Monroe County, bounded and described as follows: Beginning at a point in the north line of the William Sproat warrantee tract, said point being south 45 degrees 30 minutes west, 56 perches from a stone mound which marks the southeast corner of track of land in the warrantee name of James Hollingshead, now owned by the Pocono Mountain Ice Co.; thence by land in the warrantee names of James Hollingshead and Jacob Postens north 45 degrees 30 minutes east, 121 perches, more or less, to the northwest corner of the William Sproat tract; thence south 44 degrees 30 minutes east, along the south line of the Nathan Levering warrantee tract 30 perches to a point; thence south 45 degrees 30 minutes west, 133 perches to a point; thence north 44 degrees 30 minutes west, 30 perches to the point, the place of beginning, containing 22 acres, more or less. Courses as of meridian May 12, 1902."

It being the intent to convey that portion of the tract north of the public road leading from Tobyhanna to Sterling, adjacent to the tract of land in the warrantee name of Jacob Postens, upon the conveyance by the said Monroe Water Supply Co. to the United States of a tract of land of approximately equal area to that named in the above description and lying within the adjoining Nathan Levering warrantee tract, at such location within the said tract as may be agreed upon by the Secretary of War with said company.

Mr. FROTHINGHAM. Mr. Speaker, I ask unanimous consent that the bill be amended by renumbering the sections to take care of section 2, which was stricken out.

The SPEAKER pro tempore. Without objection, it will be so ordered.

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. FROTHINGHAM, a motion to reconsider the vote by which the bill was passed was laid on the table.

## HOMESTEAD ENTRIES, FORT PECK INDIAN RESERVATION

The next business on the Consent Calendar was the bill (H. R. 11752) to provide for extension of payment on homestead entries on ceded lands of the Fort Peck Indian Reservation, State of Montana, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, reserving the right to object—

Mr. HOWARD of Oklahoma. I object, Mr. Speaker.

Mr. LEAVITT. Will the gentleman withhold his objection?

Mr. HOWARD of Oklahoma. Yes; I withhold it if the gentleman wants to make an explanation of the bill.

Mr. LEAVITT. Mr. Speaker, this is a bill that puts into effect an agreement between the Indians on the Fort Peck Indian Reservation and the settlers with regard to a definite plan for the payment of money owing the Indians for their land. I am sure that the gentleman from Oklahoma will realize that an objection would do an injustice to the Indians on the reservation.

Mr. HOWARD of Oklahoma. Well, there have been a great many injustices done the Indians in this Congress, and I object.

## ACQUISITION OF LANDS IN THE SOUTHERN APPALACHIAN MOUNTAINS FOR PARK PURPOSES \*

The next business on the Consent Calendar was the bill (H. R. 11980) to provide for the securing of lands in the southern Appalachian Mountains for perpetual preservation as national parks.

The Clerk read the title of the bill.

Mr. TEMPLE. Mr. Speaker, I ask unanimous consent that S. 4109 be substituted for the House bill. They are identical in every particular.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks unanimous consent to substitute the Senate bill S. 4109. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

An act (S. 4109) to provide for the securing of lands in the southern Appalachian Mountains and in the Mammoth Cave regions of Kentucky for perpetual preservation as national parks.

*Be it enacted, etc.,* That the Secretary of the Interior is hereby authorized and directed to determine the boundaries and area of such portion of the Blue Ridge Mountains of Virginia lying east of the South Fork of the Shenandoah River and between Front Royal on the north and Waynesboro on the south as may be recommended by him to be acquired and administered as a national park, to be known as the Shenandoah National Park, and such portion of the Smoky Mountains lying in Tennessee and North Carolina as may be recommended by him to be acquired and administered as a national park, to be known as the Smoky Mountains National Park, and in the Mammoth Cave regions of Kentucky and also such other lands in the southern Appalachian Mountains as in his judgment should be acquired and administered as national parks, and to receive definite offers of donations of lands and moneys, and to secure such options as in his judgment may be considered reasonable and just for the purchase of lands within said boundaries, and to report to Congress thereon: *Provided,* That the Secretary of the Interior may, for the purpose of carrying out the provisions of this act, appoint a commission of five members, composed of a representative of the Interior Department and four national park experts, said four members to serve without compensation.

SEC. 2. A sum sufficient to secure options and to pay the necessary expenses of the commission in carrying out the provisions of this act, including the salary of one clerk to the commission at a rate not to exceed \$2,000 per annum, necessary traveling expenses of the members of the commission, and \$10 per diem in lieu of actual cost of subsistence; in all, not to exceed \$20,000 is hereby authorized to be appropriated.

Mr. STEVENSON. Mr. Speaker, I move to strike out the last word. I could not hear the reading of the bill in full, but I caught the words in reference to mountains and lands in North Carolina. I want to be sure that it does not take anything out of South Carolina. I have a very earnest communication from a Daughter of the American Revolution in my State calling attention to the fact that, following the example of the distinguished gentleman from North Carolina [Mr. ABERNETHY] a year ago, a distinguished Senator, Mr. HEFLIN, of Alabama, in discussing the Battle of Kings Mountain, again moved the battle ground out of South Carolina into North Carolina, and they are objecting. If the bill is going to do something of that kind, I want to know it.

Mr. ABERNETHY. This does not refer to Andrew Jackson.

Mr. STEVENSON. We want to put up a notice that Kings Mountain is in South Carolina, because the Daughters of the American Revolution object to its being moved into North Carolina.

Mr. WEAVER. Mr. Speaker, this bill confers authority upon the Secretary of the Interior to take preliminary steps toward the selection of one or more national parks in the eastern Appalachians. The bill itself does not establish or create such national parks, but provides that the Secretary of the Interior may appoint a commission of five members, composed of a representative from the Interior Department and four national parks experts, who shall serve without compensation, to examine the Shenandoah Valley area of the Appalachian Mountains in Virginia and the Great Smoky Mountain area in North Carolina and Tennessee, and such other Appalachian areas as the commission may determine upon in North Carolina and elsewhere.

The Secretary of the Interior through this commission may investigate suitable areas, receive definite offers of donations of areas of lands, secure options, and determine the boundaries of lands which he may recommend for the purposes of national parks.

I have introduced H. R. 10893, which embraces the Smoky Mountain area. Representatives DOUGHTON and BULWINKLE, of North Carolina, have introduced bills presenting the Linville Gorge and Grandfather and Roan Mountain areas. The present bill provides an appropriation of \$20,000 for the purpose of investigating all these areas by the Secretary of the Interior with a view to determine more exactly the necessary boundaries and lands which may be recommended, and all other data and information relative to the establishment of these great parks.

North Carolina has a number of areas that are well worthy of consideration in this respect. The great Grandfather and Roan Mountain area, including the Linville Gorge, would undoubtedly meet the requirements of a national park. The Great Smoky Mountain area is the most primitive of all the vast range of mountains in the Appalachians. It has now become accessible through the construction of highways by the State of North Carolina and the State of Tennessee. It is the greatest mountain mass east of the Rockies. The eastern United States has no national parks. To visit any great national park one must now almost cross the continent. It would seem but wise and just that the National Government should now undertake the project of establishing for the health and recreation of the people some great parks in the congested areas of the East.

The project of establishing these parks was initiated by Dr. Hubert Work, the present Secretary of the Interior. He is to be commended for his foresight in this respect. In his report to the Committee on Public Lands in regard to the Smoky area he says:

The Great Smokies area easily stands first, because of the height of the mountains, depth of valleys, ruggedness of area, and the unexampled variety of trees, shrubs, and plants.

For the purpose of bringing to the attention of the country the superb character of this area as a prospective national park I beg to submit herewith a statement contained in a letter to me from Mr. Horace Kephart, a noted author and in particular the author of that splendid book *Our Southern Highlanders*.

Mr. Kephart is familiar with all the vast and remote stretches of the Smokies, and he has spent many years of his life among them and speaks from first-hand information.

I include the statement, as follows:

DEAR MR. WEAVER: I thank you for sending me a copy of your bill (H. R. 10893) to provide for a national park in the Great Smoky Mountains on the border of North Carolina and Tennessee.

As I am informed that several other locations will be considered in this connection—all of them, I believe, quite worthy of such attention—and since the Great Smoky region is the least known to the country at large, may I briefly state some reasons for thinking that this segment of the Appalachians is best suited for an eastern national park?

First let me clear up a misapprehension that is rather widespread as to the features and relative importance of the Great Smoky Range. I am sorry to find that serious error in this respect is being taught in our schools, even here in our own State. Just a day or two ago I picked up a new textbook of advanced geography that is prescribed for the high schools of North Carolina, and in it I found this statement:

"In the Southern States the highest part of the Appalachians is the Blue Ridge. It crosses Maryland and Virginia, and in North Carolina grows higher and broadens into a great series of

ridges and peaks, known generally on the eastern side as the Blue Ridge, but often in Tennessee as the Great Smoky Mountains." (Brigham and McFarlane: *Essentials of Geography*, second book, revised edition. New York, 1920, p. 36.)

There could scarcely be a more complete blunder. The Blue Ridge is far from being the highest part of the Appalachians, and the Great Smoky Mountains are not a part of the Blue Ridge, but are, in fact, the dominant range or the whole Appalachian system, as was stated by the geologist, Guyot, fully 50 years ago and has been repeated by scientists ever since.

The Appalachian Mountain system extends as a zone, 100 to 300 miles wide, from Newfoundland and New Brunswick, 1,500 miles southwestward to Alabama. In its whole area north of North Carolina it has only one peak, Mount Washington in New Hampshire, that reaches an altitude of 5,000 feet above sea level.

The Blue Ridge, which forms the easterly rampart of this system from Pennsylvania to northern Georgia, has no peak that rises as high as 6,000 feet.

The Great Smoky Mountains, a segment of the westerly rampart, have 18 summits of 6,000 feet and upward, including a few in spurs of the Smokies north of the Soco Gap, and Mount Le Conte on the Tennessee side. Twelve of these giants are yet unnamed, but anyone can pick them out on the Mount Guyot, Cowee, and Knoxville sheets of the topographic atlas of the United States Geological Survey, which show contours.

The only part of the Appalachians that compares with the Smokies in elevations is that of the Black and Great Craggy ranges northeast of Asheville. Together they have 14 peaks of the 6,000-foot class; but they cover an area of only about 85 square miles, whereas the Smokies cover more than 700 square miles.

In the Black Mountains is Mount Mitchell (6,711 feet), the highest points of land east of the Black Hills of Dakota. However, Clingman Dome, of the Great Smoky Range, is 6,680 feet (latest figures of the United States Geological Survey), and what is a difference of 31 feet on such a mountain top? Guyot and Le Conte, of the same range, are almost as high as Clingman.

Another, but quite pardonable, popular error regarding the Smokies is the idea that they are too inaccessible for a popular resort. So they were until within the past year. And to that very isolation they owe what they have left of arboreal beauty and the charm of the unknown. But the admirable new system of State highways in North Carolina is now linking this region up with the outer world. Highway No. 10, which Josephus Daniels aptly calls our "Main Street," since it runs the whole length of North Carolina, 555 miles from Beaufort on the coast to Murphy on the Hiwassee, is, at Bryson City, only 10 miles in an air line from the summit of Clingman Dome. This road, with its connections, gives access by automobiles from anywhere in the North, East, or South, and the Southern Railway does the same by train.

A good road for motoring runs through the Cherokee Indian Reservation to Smokemont, 9 miles from the crest of the Smoky Divide at the Indian or Collins Gap. It can easily be continued to the summit, and our State highway commission has already provided for such extension as soon as Tennessee agrees to meet us there. Another graded highway is now building to the top of the Smokies farther west along or near the Little Tennessee River, and it will be completed under a similar agreement.

When these two extensions are finished to the State line it will be a comparatively simple matter to run a scenic highway of easy grades 40 miles along the crest of the divide itself connecting the two roads mentioned. Such a sky-line road would be a mile or more above sea level, and from it one could look out clear across the great Appalachian Valley to the Cumberland Mountains, nearly a hundred miles away, and similarly in other directions. It could cross the summits of Clingman Dome, Siler Bald, Thunderhead, and other notable peaks of the Smoky Range. This project is no more difficult to carry out than was the construction of the highway from Bryson City to Franklin, which, as you know, was a small affair, a minor project, for our engineers. I do not know any other location in eastern America that offers such an opportunity for continuous outlooks from motor cars along the very top of a majestic mountain range. The wonderful invigoration and spiritual uplift of such a trip can now be enjoyed by none but those hardy mountaineers, who go afoot, packing their supplies for days on their own backs. They could just as well be experienced by women, children, invalids, and aged persons, if this simple engineering task were accomplished.

For wild beauty and grandeur I have seen nothing in eastern America that equals the Smoky Divide and its outlooks. Over a good part of this range the primitive forest still stands, and it is the most varied forest in the world to-day. It should be realized that in climbing from a river valley to one of these Smoky Mountain summits, a matter of a few miles, one ascends through different floral zones, corresponding to the climatic zones, and so sees as great a variety of wild vegetation as if he made a lowlands trip from mid-Georgia to southern Can-

ada. Long ago, when Asa Gray, the botanist of Harvard, was in western North Carolina he said that in a 31-mile jaunt he identified a greater variety of native forest trees than could be found in crossing Europe from England to Turkey, or going across our continent from Boston to the Rocky Mountains Plateau. If he had come a little farther west, in to the Smokies, he would have found still more. Ayres and Ashe, in their 1905 report on the Southern Appalachian forests, catalogued 136 species of native trees and 174 species of wild shrubs, nearly all of which are found in the Great Smoky section. The undergrowth, largely composed of species that can not survive if the original tree growth is cut off, is so varied that this is one of the richest collecting grounds for botanists in the United States.

The Great Smoky Mountains are drained by hundreds of miles of streams that are crystal clear, and that dash down numberless waterfalls. All of them are fed by unending springs of the purest and coldest freestone water. They contain both the native brook trout and the introduced rainbow trout. The near-by rivers into which the mountain creeks flow have the small-mouth bass and the muskellunge. It is a singular fact, apparently unknown to ichthyologists and sporting writers, that this giant of the pike family which we call the muskellunge is a native to the Little Tennessee and Tuckasegee Rivers, although it is found nowhere else south of the St. Lawrence, the Great Lakes, and the headwaters of the Mississippi. It has not been introduced here in the western North Carolina waters, but has been caught in them since aboriginal times.

There is no part of our country that is better adapted by nature for a great game preserve and restocking station. Originally the elk and buffalo were native here. Deer multiply rapidly wherever protected, and the black bear sturdily holds his own without protection, though he deserves it. The wild turkey, America's noblest game bird, would soon reestablish itself here in large flocks if left alone.

In the Great Smoky Mountains one can find almost any climate that he wants; it is simply a matter of elevation. From 5,000 feet upwards there is a sub-Arctic zone in which one keeps a fire going through July and August, and sleeps under blankets. There are no mosquitoes in the Smokies; they do not breed there, owing to absence of swamps and stagnant water.

There is no danger that this region may ever become over-civilized to such a degree that those who enjoy the hardy sports of mountaineering and adventurous exploration will shun it. I have mentioned the Indian Gap as the eastern terminus of a projected sky-line road for tourists who wish to travel comfortably in their cars. They would turn to the left. But to the right of this same gap, going necessarily afoot, one soon comes to one of the most rugged and difficult mountain ranges of our continent. Along the divide eastward and northeastward toward Mount Guyot the Smokies are exceedingly sharp-edged and steep. Here is a country for mountaineering enthusiasts who glory in matching their own wits and muscle against wild nature and fighting her almost to the limit of human endurance.

It will test their skill and stamina, and no chance will there be of their being overcrowded by touring folk. Here is a wild Eden that will always remain wild, unpeopled, and unspoiled. It is to-day, as it has always been, an unknown land to all but a few athletic and daring adventurers who yearn for the explorer's thrill. I consider this "saw-tooth range" one of the most singular and impressive advantages of the Smoky Mountain region. There is nothing like it east of the Rockies.

Agos ago the capital of the great Cherokee Nation stood on the southern slope of the Smokies, near the present Bryson City. A few miles back in the mountains we enter to-day the lands of the Eastern Band of Cherokees, who are descendants of those refugees who hid out in the mountains at the time that most of the tribes were removed to the West, and who were finally allowed to remain in their ancestral home. It was here, in 1821, that an illiterate and pagan Indian, Sequoya, accomplished at one stroke for his people an advance in civilization which, for swiftness and perfection of achievement, has no parallel in the history of the human race.

Sequoya knew that the whites had a way of "talking on paper," but he had no conception of how the thing was done, except that they used signs. He never learned the meaning and powers of an alphabet representing sounds that have no value in themselves. But after years of unaided effort, ridiculed as a fool or an idle dreamer by whites and Indians alike, he devised a system of writing with characters representing syllables of the Cherokee language. This was so perfectly adapted to the purpose that any Indian, as soon as he had memorized the 84 characters of the syllabary, could read and write his own language without any error of spelling or pronunciation. Instead of having to spend several years in learning to spell and read, as our children do, a Cherokee child, or even an aged person, could read and write perfectly within a few weeks. And so thousands of hitherto illiterate Indians did learn to read and write when Sequoya gave them his invention. It was done without hiring a single teacher, but by merely pass-

ing the new knowledge on from one Indian to another. This system of writing is still in use among the Cherokees, and no one has ever been able to improve upon it.

In the Capitol at Washington there is now a statue of Sequoia which the sculptor modeled after the figure of a young Indian who is living on the reservation here in the Great Smoky Mountains.

It is a curious error to regard the Smokies as remote from the masses of our people. If one will take a map of the United States and a pair of dividers he can see in a moment that this is not so. The center of population of the United States is near Bloomington, Ind., and the Great Smoky Range is closer to that point than any other mountains except those of eastern Kentucky.

Mr. ABERNETHY. Mr. Speaker, this bill under consideration is of vital importance to the entire eastern section of the United States.

The present national-park system comprises 19 national parks, 18 of these, including 1 in Hawaii and 1 in Alaska, are located west of the Mississippi River, while only 1, the Lafayette National Park in Maine, is located in the East. These national parks are areas which Congress has set apart because of supreme scenic beauty and special phenomena and other unusual qualifications for the perpetual use and enjoyment of the American people.

The Interior Department, recognizing the need of national parks in the East, recommended to this session of Congress appropriate legislation, and Secretary Work says:

East of the Mississippi no Government-owned lands, aside from those acquired under the provisions of the so-called Weeks Act for forest purposes, are available and such national parks as would be created by Congress in the East would have to be acquired by purchase with Federal funds or through donation. Lafayette National Park presents an interesting example, as all its area is comprised of lands donated, or lands purchased from donated funds, contributed by public-spirited citizens of the United States.

Lafayette is the only national park in the East. Yet east of the Mississippi we have a dense population containing 70 per cent of the inhabitants of the entire country.

Recognizing the tremendous popularity and value of the national park system in its service to our people, it is my opinion that a definite policy should be adopted by the Government for the creation of additional national parks in the eastern section for the public use and general welfare of its millions of inhabitants. Most of these live in densely populated communities and can not afford the time or the money required to visit the western national parks. The East contributes its share to the upkeep and maintenance of the existing national park system, and for that reason, too, should be entitled to recognition.

The Interior Department recognizing the tremendous popularity of the national park system to the people, have adopted a definite policy for the creation of additional parks in the eastern section for the benefit of the millions of this section.

It is pointed out by the Interior Department that the East contributes its share to the upkeep and maintenance of the national-park system, and for that reason, too, should be entitled to recognition. Having this in mind, the Secretary of the Interior in the selection of this commission selected outstanding experts on parks and students of out-door life. This commission included the Hon. H. W. TEMPLE, Member of the House of Representatives from Pennsylvania, who was formerly professor of history and political science in Washington and Jefferson College, located at Washington, Pa., and has long been interested in out-door recreational advancement; Maj. W. A. Welch, chief engineer and general manager of the Palisades Interstate Park of New York and New Jersey; Mr. Harlan P. Kelsey, former president of the Appalachian Mountain Club, of Boston, and a well-known landscape architect; and Mr. William C. Gregg, a prime mover of the National Arts Club, of New York, and a student of recreational development through parks, and a director of the National Park Association; Col. Glenn S. Smith, acting chief topographic engineer of the Geological Survey, and representing the Secretary of the Interior on the committee.

The bill authorizes the Secretary of the Interior to appoint a commission of five members, composed of a representative from the Interior Department and four national-park experts. This commission will study the Shenandoah Valley section of Virginia, the Smoky Mountain area of North Carolina and Tennessee, the Linville Gorge, Grandfather Mountain, and Roan Mountain area of North Carolina, and the Mammoth Cave area of Kentucky. This commission will report to Secretary Work, who in turn will report to the next Congress.

This is important legislation and will be of great benefit to the people, and will preserve for the present and future gen-

erations these great wild areas in their pristine beauty and grandeur.

Mr. HARRISON. Mr. Speaker, west of the Mississippi River there are 18 national parks. On the east side of the Mississippi River there is but one small park, which is in Maine, and is but little known nationally and serves but a local purpose. A number of the parks west of the Mississippi River are noted the world over for their beauty or for some physical characteristic. But the parks west of the Mississippi River are to a great extent located beyond the reach of the masses of the population of the United States. They are playgrounds of the highest type and they lack but one thing, and that is people to play therein. For many years it has been considered a national policy to provide the places of recreation. Some of the States, too, have made it a part of their State policy to provide parks for the use of their tired citizens. It occurred to the distinguished Secretary of the Interior, Doctor Work, that it would be a wise policy on the part of the Government to provide a series of parks in the eastern portion of the United States within easy reach of millions of Americans. To this end he appointed a commission, of which the distinguished member from Pennsylvania, Representative HENRY WILLSON TEMPLE, was made chairman. The commission consisted of five members, all of whom have national reputations in connection with the park system. Maj. William A. Welch, general manager Palisades Interstate Park, New York; Mr. William C. Gregg, of Hackensack, N. J.; Mr. Harlan P. Kelsey, of Salem, Mass., a landscape architect of repute and a botanist of distinction; Col. Glenn S. Smith, who heads the Topographical Map Service of the United States. All of these gentlemen were men peculiarly fitted for the work for which they were selected. A number of them have been familiar with the parks in the United States which are reached not only by automobile, but those which must be reached by pack train. This commission served without compensation, and even without having their expenses paid. It was a work purely of love on their part. The one direction given by Doctor Work was that the park selected should be east of the Mississippi and south of the Mason and Dixon Line. After a long consideration and after visiting many areas to which their attention had been directed, the commission finally reported to Secretary Work, and I here insert their report:

The members of the committee appointed by you and designated as the Southern Appalachian National Park Committee, in accordance with your instructions, have spent the past eight months investigating the southern Appalachian Mountain region with a view of determining whether areas exist of sufficient size, containing scenery of such grandeur, and at the same time typical of the region, which are suitable to be considered as a site for a national park.

Nature calls us all, and the response of the American people has been expressed in the creation so far of 19 national parks. All but one are west of the Mississippi River. Two-thirds of our population living east of the Mississippi has contented itself with a few State parks, not knowing that in the southern Appalachian Ranges there are several areas which fill the definition of a national park because of beauty and grandeur of scenery, presence of a wonderful variety of trees and plant life, and possibilities of harboring and developing the animal life common in the precolonial days but now nearly extinct.

It has not been generally known that eastern parks of national size might still be acquired by our Government. The committee has been impressed with the amount of interest manifested in all sections of the East in the proposed establishment of a national park in the southern Appalachian region, and this interest has resulted in numerous requests that the committee inspect various areas. Many of these requests pertained to localities that have abundant scenic features but which are not of sufficient size to warrant their being considered for a national park. Every effort has been made to consider carefully the merits of the various proposed sites, and wherever there was evidence that an area seemed to justify the committee in making a personal inspection, visits have been made either by the committee as a whole or by a delegation from it. Many of the areas in these mountains having unquestionable national-park features are now in the national forests under Government control and so available for recreational use. The committee is not disposed to suggest a change in their present status.

We inspected the northern part of Georgia, whose fine mountains blend with the highland region of southern North Carolina. We ascended Mount Mitchell and viewed the splendid Black Mountain Range north of Asheville. We went over carefully the Grandfather Mountain region, which for our study included the beautiful country from Blowing Rock to remarkable Linville Gorge. We responded to the call of the poet—to see Roan Mountain if we would really see the southern Appalachians. We went to Knoxville and from there to the tops of "the Big Smokies," which carry on their crest the boun-

dary line between North Carolina and Tennessee. We went into Virginia to inspect that portion of the Blue Ridge on the east side of the Shenandoah Valley which extends from Front Royal to Waynesboro. Some members of the committee also visited Cumberland Gap, southern West Virginia, northern Alabama, and eastern Kentucky. Several areas were found that contained topographic features of great scenic value, where waterfalls, cascades, cliffs, and mountain peaks with beautiful valleys lying in their midst gave ample assurance that any or all of these areas were possible for development into a national park which would compare favorably with any of the existing national parks in the West. All that has saved these near-by regions from spoliation for so long a time has been their inaccessibility and the difficulty of profitably exploiting the timber wealth that mantles the steep mountain slopes. With rapidly increasing shortage and mounting values of forest products, however, we face the immediate danger that the last remnants of our primeval forests will be destroyed, however remote on steep mountain side or hidden away in deep, lonely cove they may be.

The conditions in the East, where all land is held in private ownership, as compared with those existing in the West when national parks were created from Government-owned lands, has made our problem a difficult one. The density of population, together with the commercial development in progress or in prospect, often practically prohibited the selection of areas of great natural beauty which, if located remote from such development would have been seriously considered.

It is the opinion of the committee that a park in the East should be located, if possible, where it will benefit the greatest number, and it should be of sufficient size to meet the needs as a recreational ground for the people not only of to-day, but of the coming generations. The committee therefore decided that no site covering less than 500 square miles would be considered. This eliminated a large number of proposed areas and allowed the committee to concentrate its efforts on a few that appeared to be possible sites on account of their size, location, and favorable scenic features. These sites have therefore been thoroughly examined.

The committee laid down a few simple requirements for its guidance in seeking an area which could be favorably reported to you for the possible consideration of Congress:

1. Mountain scenery with inspiring perspectives and delightful details.
2. Areas sufficiently extensive and adaptable so that annually millions of visitors might enjoy the benefits of outdoor life and communion with nature without the confusion of overcrowding.
3. A substantial part to contain forests, shrubs, and flowers, and mountain streams, with picturesque cascades and waterfalls overhung with foliage, all untouched by the hand of man.
4. Abundant springs and streams available for camps and fishing.
5. Opportunities for protecting and developing the wild life of the area and the whole to be a natural museum, preserving outstanding features of the southern Appalachians as they appeared in the early pioneer days.
6. Accessibility by rail and road.

We have found many areas which could well be chosen, but the committee was charged with the responsibility of selecting the best, all things considered. Of these several possible sites the Great Smoky Mountains easily stand first, because of the height of mountains, depths of valleys, ruggedness of the area, and the unexampled variety of trees, shrubs, and plants. The region includes Mount Guyot, Mount Le Conte, Clingmans Dome, and Gregory Bald and may be extended in several directions to include other splendid mountain regions adjacent thereto.

The Great Smokies have some handicaps which will make the development of them into a national park a matter of delay; their very ruggedness and height make road and other park development a serious undertaking as to time and expense. The excessive rainfall also (not yet accurately determined) is an element for future study and investigation in relation both to the development work, subsequent administration, and recreational use as a national park.

The Blue Ridge of Virginia, one of the sections which had your committee's careful study, while secondary to the Great Smokies in altitude and some other features, constitute, in our judgment, the outstanding and logical place for the creation of the first national park in the southern Appalachians. We hope it will be made into a national park and that its success will encourage the Congress to create a second park in the Great Smoky Mountains, which lie some 300 miles distant southwest.

It will surprise the American people to learn that a national park site with fine scenic and recreational qualities can be found within a three-hour ride of our National Capital and within a day's ride of 40,000,000 of our inhabitants. It has many canyons and gorges, with beautiful cascading streams. It has some splendid primeval forests, and the opportunity is there to develop an animal refuge of national importance. Along with the whole southern Appalachians, this area is full of historic interest, the mountains looking down on valleys with

their many battle fields of Revolutionary and Civil War periods, and the birthplaces of many of the Presidents of the United States. Within easy access are the famous caverns of the Shenandoah Valley.

The greatest single feature, however, is a possible sky-line drive along the mountain top following a continuous ridge and looking down westerly on the Shenandoah Valley from 2,500 to 3,500 feet below, and also commanding a view of the Piedmont Plain stretching easterly to the Washington Monument, which landmark of our National Capital may be seen on a clear day. Few scenic drives in the world could surpass it.

We therefore recommend the creation of a national park in the part of the Blue Ridge Mountains of Virginia above described and shown approximately on the accompanying map.

We have not attempted to estimate the cost of acquiring this area, as we are not sure that it falls within the scope of our committee's work. We suggest, however, that a spirit of constructive cooperation on the part of the State of Virginia and among some of the large land-owners of this region with whom we have been in touch promises reasonable prices and perhaps a number of donations.

We suggest that, if Congress thinks favorably of this proposed park site, a commission be appointed to handle the purchase and to solicit contributions and to arrange condemnation proceedings if the State of Virginia deems it wise. The creation of such a park may well be made contingent on a limited total land cost.

Respectfully submitted.

H. W. TEMPLE, *Chairman.*  
GLEN S. SMITH, *Secretary.*  
W. A. WELCH.  
HURLAN P. KELSEY.  
WILLIAM C. GREGG.

Approved:

HUBERT WORK,  
*Secretary of the Interior.*

DECEMBER 12, 1924.

Mr. Speaker, I am familiar with this area. It has never been my good fortune to visit the Great Smoky Range of Tennessee, but the Shenandoah National Park is on the Lee Highway, which extends south to Knoxville, and there comes within close range with the Great Smoky area. This Lee Highway is practically fully constructed as far as Knoxville. There may be a few miles of broken links in this highway that have not as yet been fully completed, but in a year perhaps the road will be in its entirety a great improved highway passing through the two proposed areas for the national parks.

Referring now to the Shenandoah National Park, allow me to call attention to the fact which I consider of very great importance, and that is it lies within a few hours' ride of Washington over improved highways. About two hours of easy driving in an automobile and the tourist will enter the Shenandoah National Park area, and for 68 miles his path will lie through a territory continuously marked by beautiful scenic effects. I do not believe that I can give a better description than that contained in the issue of December 25, 1924, of the National Park Bulletin, and which was written by one who had personally inspected the area:

#### THE SHENANDOAH NATIONAL PARK

The proposed Shenandoah National Park consists of an irregular strip of virgin forest 66 miles long and from 8 to 18 miles wide, stretched along the summit of the main range of the Blue Ridge where it parallels the famous Shenandoah Valley in northern Virginia, of which it forms the southeastern wall.

Its northern point is Front Royal, 20 miles south of the Winchester of Sheridan's famous ride, where the mountains rise with considerably greater abruptness to altitudes over 3,000 feet. This is historic ground.

Southwesterly to its end at Jarman Gap, near Waynesboro, 30 miles due west of Charlottesville, seat of the University of Virginia, and east of Staunton, Woodrow Wilson's birthplace, the range increases in altitude to well above 4,000 feet, gaining in steepness of slope and roughness of contour. Here summits crowd summits, fretted ridges drop hundreds and often, in consecutive precipices, thousands of feet, and innumerable little rivers cascade from both sides of the divide into innumerable pools which shelter speckled trout.

#### REMARKABLE FOREST EXHIBIT

Though crossed by several roads, two of them famous in American history, the precipitousness of the range, forbidding profitable exploitation, has saved for us through centuries of civilization more than 600 square miles of almost untouched native forest within 90 miles of the Nation's Capital and 300 miles of its metropolis. Even Virginians have not realized their possession of a natural treasure so extraordinary.

Near Skyland, 25 miles south of the area's northern point and 5 miles below the crossing of the Lee Highway at Thornton Gap, there is a narrow saddle from which the larger softwoods have been lumbered during the last quarter century, and there are several lesser

areas similarly lumbered along old highways farther south. But these forest spots remain, nevertheless, beautiful, and all together the partly cut areas are trifling compared with the great body of the untouched forest, which constitutes an invaluable exhibit of the wilderness that covered eastern North America from the St. Lawrence to the Gulf when our forefathers settled at Jamestown and Plymouth.

#### IN SILHOUETTE

In silhouette this proposed national park is best seen from the Shenandoah Valley, which itself, with its parallel rivers separated by abrupt and picturesque Massanutten Mountain, its northern walls of paralleling ranges culminating in the Alleghenies of West Virginia, its broad cultivated levels dotted with historic villages, and its remarkable series of limestone caverns, is one of the most beautiful and interesting in the United States. From its excellent highways and from the railroad which follows the south fork of the Shenandoah but short cuts its innumerable bends, the mountain range which soon, we hope, will add still a new variety to our national parks system is imposing and altogether lovely. Dark and solid against the rising sun, or defined in the revealing relief of late afternoon, it impresses its personality deeply on the traveler.

#### CONCERNING ALTITUDES

It is important to realize that far too much is made of altitude in comparing our eastern and western mountains. The Rockies, rising to 12,000 feet from valleys 9,000 feet in altitude, or the Blue Ridge, rising to 4,000 feet from valleys less than a thousand feet in altitude—what difference in size to the observer? Stony Man in the Blue Ridge towers above Shenandoah as high as El Capitan above Yosemite.

It is when mountains rising from higher bases are pushed above timber line that erosion produces bald and splintered summits, while the more gracious configuration of equally lofty eastern summits with lesser underpinning are protected from disfiguration by blankets of forest. No comparison of splendor holds, for each is beautiful in its own admirable and different way.

And if, to our unaccustomed eastern eyes, the bare crags and snow fields of the higher western mountains provoke the greater thrill, to many this advantage will be far more than offset by the superior richness of form and color in our eastern forests over the stately, somber repetitions of the ranked conifers of the western altitudes. More than a hundred tree species glorify the Appalachians, few more than a dozen the Sierra.

Let us now glimpse our coming Virginia national park from within.

#### GORGEOUSLY BEAUTIFUL MOUNTAIN WILDERNESS

Its northern third, less in altitude and less varied in configuration, is more heavily forested. From the Lee Highway crossing the surface southward becomes increasingly rugged, the summit groupings bolder, the streams larger, the canyons more deeply cut, the falls and cascades more numerous and wilder, the precipices deeper and more picturesque.

Entering conveniently by the Lee Highway, 90 miles from Washington, the comfortable public camp at Skyland is a convenient point of departure. It is a camp of the popular western type, its many cabins roughly bark covered but concealing such luxuries within as electric lights and modern bathrooms. Its proprietor, G. Freeman Pollock, needed 20 years to develop it from its original canvas tent. From here our journey southward is on horseback along the divide, with many side excursions afoot into extravagantly beautiful cascaded canyons slanting sharply for several miles through heavy forests of virgin spruce, hemlock, and balsam, up the edges of precipices overlooking the enormous Shenandoah valleys and range after range of distant mountains, and to the craggy summits of peaks overlooking oceans of tumbled wilderness.

At Skyland, before we start, we encounter Stony Man, one of the most striking mountain personalities of the range, a pyramid 4,031 feet in altitude.

#### SUMMITS AND PRECIPICES

From the rough lookout on its summit we gaze steeply down 3,000 feet, much of it appearing perpendicular. We overlook the broad valley of the South Fork of the Shenandoah, the river winding in snakelike curves. Luray, famous for its cavern, is seen threaded on the railroad. Beyond rises the wild, rangeline Massanutten Mountain, 2,500 feet in altitude and 30 miles in length, concealing behind it the still broader valley of the North Fork. And beyond Massanutten rises another elongated complicated towering ridge, the North Mountain, and beyond that still others, till the Alleghenies of West Virginia merge with the sky.

One of the most inspiring views in America, this from the summit of Stony Man. And as we journey southward we have it again from the Crescent Rock Cliffs, which drop nearly 3,000 feet, and again and again for many miles from innumerable cliffs, for the steep side of the Blue Ridge is the Shenandoah Valley side.

White Rock Cliffs, encountered early on our journey, suggests a thrilling human phase of these mountains, for here was fought the finish of a celebrated feud in which three men were shot to death. The neighborhood has been famous for its moonshine for many years.

Many years ago the Blue Ridge was the haven of refuge for bandits and desperadoes who preyed upon the neighborhood settlements, and its fastnesses are so sought occasionally yet.

#### WHITE OAK CANYON AN APPALACHIAN TYPE

Near by also is White Oak Canyon, a sample of scores of canyons, and itself one of the most exquisite in America. The lusty stream, a continuous succession of rushes, leaps, and falls, drops 2,500 feet in 4 miles. Its gorge is hollowed in green epidote schist streaked with white quartz, a setting of striking beauty. On its right Ragged Mountain, "Old Rag" for short, towers above slopes of virgin forest. On its left is a high, abrupt escarpment of gray limestone, hung from top to bottom with ferns and vines, and shaded from far above with white oak, dogwood, ash, maples, chestnut, beech, pines, birches, azalea, and scores of tangled shrubs.

At any point in White Oak Canyon, standing on some rock jutting above the stream, one glances upstream at a dozen gleaming bits of foaming water, one balanced above the other in sharp perspective, and far downward at many successive brinks of little falls, till all is lost in foliage. Looking downstream, above the descending forest and between converging mountain slopes, one sees tumbled foothills, far distant farms, and the roofs and steeples of a valley town.

Hawks Bill, 4,066 feet in altitude is the next outstanding peak, ramparted among dense forests. Its summit, like most of the summits, is clothed heavily with stunted, twisted oaks, poplars, and chestnuts, interspersed with gnarled pines, cedars, and others, and these persist in more stalwart stature down its eastward slopes; its westward slopes glow with sweeping groves of silver fir.

#### ANCESTRAL BLUE GRASS

Here we see the first of the mountain meadows of blue grass, not the carefully cultivated famous blue grass of the central south, but its ancestor, the wild blue grass that the settlers of Kentucky prized so highly and developed to the prosperity of their State. These rich forest-bordered, wild-flowered little meadows occur again and again on the summits and steep western slopes of the region, becoming larger and more plentiful as we journey south, serving to distinguish the landscape west of the divide from the close forests and rock formations east of it.

In the rich meadows of these mountain fastnesses the horses of the Confederacy were hidden in periods of danger.

Through Fisher's Gap, south of Hawks Bill, crosses the old military road built in the Civil War for the passage of armies, and used by both sides in turn. It has been impassable for many years, but may be made a scenic road of rare beauty. In this isolated, utterly lonesome neighborhood, commanding a gorgeous view of mountains and distant valley, a shrewd land owner has built a charming cottage for exclusive rental to newly weds. It is known as "Honeymoon bungalow."

#### RICH DIVERSITY OF FORM AND COLOR

At intervals on the western slopes, but especially among the splendid forests of the eastern heart of the range, occur heavy groves of magnificent hemlock, trees of girth, and dark, massed, feathery foliage. In the higher altitudes are also occasional groves of spruce, bunched like wheat, whose intertwined tops shut the sunlight from thick brown carpets of needles in which for lack of light no shrubs nor wild flowers grow.

Black, white, red, scarlet, pin, and chestnut oaks grow in profusion in the glorious forests of this mountain-top country; also sycamore, gum, poplar, ash, hickory, beech; black, white, and yellow birch, white pine in small original stands, long-leaved loblolly and other pines, yellow locust, tulip, wild cherry, dogwood, azalea, laurel everywhere, rhododendron in a few thickets of very large size. These are very few of the trees and shrubs here found.

The glory of this diversified forest, tilted at all angles, ascending peaks to gray ragged crests, dropping into countless ravines and watered by a thousand streams can only be suggested in this brief survey.

But we must mention one other of the numerous mountain personalities, Great Fort Mountain, about midway of the park. It is the commanding elevation of the range, rising probably to 4,500 feet. On its north slope are thousands of fine hemlocks, and ancient white pines grow plentifully on all sides to its summit of gray elongated crags which stand upright together like giant organ pipes.

#### A SPECTACLE OF SPECTACLES

Great Fork Mountain is a spectacle from every summit for miles around, and its higher slopes command an extraordinary range of views. Westward, over the crest of the divide and across the broad intervening hidden abyss, are seen ranges many miles away. Eastward, across the deep forested gorge of the young Rapidan River, emerge the ramparts and crags of Double Top Mountain, while down the Rapidan Valley is disclosed an unforgettable vista of the distant Piedmont Valley with Criglersville among the foothills. And southward down the range are innumerable peaks.

The southern half of the proposed park is rich in rugged scenery. From Elkton in the Shenandoah Valley crosses the ancient and famous Spottswood Trail, built through Swift Run Gap to open the western

wilderness which Governor Spottswood first discovered by crossing the Blue Ridge. It is now an excellent motor road, and a monument to him and his Knights of the Horseshoe stands on the crest.

The wilderness reaches its climax at Black Rock, near its southern end.

While the beauty of the park is thus so faithfully described, it would be a mistake to overlook the peculiar historic and beautiful setting which surrounds and encompasses the park on every side. Standing on one of the lofty peaks of the mountain range one can look down upon gorgeous beauty of the Shenandoah Valley for many miles, and then turning himself, he will look down on the broad plateau of Piedmont, Va. Both of these sections of Virginia are rich in history. The Valley of Virginia is famous in Civil War history and is rich with its legends of the Revolutionary War and colonial days. Piedmont, Va., too, has historic shrines and is covered with the battle fields of the Civil War. Along the base of this park Mount Vernon may be claimed and at the further end we have Monticello, the home of Thomas Jefferson. Monroe, too, had his colonial home upon the Piedmont side of the mountain slope, and Madison had his home not far from one of the entrances to the park. From Washington to Charlottesville one travels through the battle fields of the Civil War which are resplendent with the heroism of American valor, whether clothed in the blue or the gray. At Charlottesville we have the great University of Virginia, the leading educational institution of the South. In its architecture is seen the wonderful genius of Jefferson and the best ideals of Stanford White in his work of restoration. Some of the great rivers either rise in this mountain area or flow along its foot—the Rappahannock, the Rapidan, and the Rivanna. On the valley side we go back to early colonial history. Here were the early scenes of George Washington's life. Lord Fairfax, who held the grant from the English King of all the territory between the headwaters of the Potomac and the Rappahannock, had his home at the base of this mountain. Here Washington served him faithfully, and nearly every holding in the Northern Neck goes back to a grant from Lord Fairfax and a survey made by George Washington. To Winchester Washington retired after the disastrous defeat of General Braddock. Here he built his fort to protect the inhabitants against the invasions of the victorious savages, and here to-day is found the headquarters which he established at that time. It was during this period that Washington was elected to represent Frederick County and the city of Winchester in the House of Burgesses. It may be worthy of passing note to remind the students of our early political history that Washington ran for the House of Burgesses twice and on the first occasion he was ignominiously defeated, but he had no expense account.

On the second trial, however, he was triumphantly elected. His expense account tells how. Although there was a law against the use of liquor at elections in Virginia, we find the following expense account:

	£	s.	d.
40 gallons of Rum Punch @ 3/6 pr. gall.	7	0	0
15 gallons of Wine @ 10/ pr. gall.	7	10	0
Dinner for your Friends	3	0	0
13½ gallons of Wine @ 10/	6	15	0
3½ pts. of Brandy @ 1/3		4	4½
13 Galls. Beer @ 1/3		16	3
8 qts. Cyder Royl @ 1/6	0	12	0
Punch		3	9
30 gallons of strong beer @ 8d pr. gall.		1	0
1 hhd & 1 Barrel of Punch, consisting of 26 gals. best Barbadoes rum, 5/	6	10	0
12 lbs. S. Refd. Sugar 1/6		18	9
3 galls. and 3 quarts of Beer @ 1/ pr. gall.		3	9
10 Bowls of Punch @ 2/6 each	1	5	0
9 half pints of rum @ 7½d. each		5	7½
1 pint of wine		1	6

Oh, Volstead! The tavern where Washington held his revelries has long since disappeared, but the site of its location is still pointed out to the tourist.

In the cemetery at Winchester is the neglected grave of General Morgan, the hero of Cowpens. If we travel along the slope of the park mountain where the beautiful Shenandoah River traces its way to join the Potomac River we come to Woodstock. At Woodstock the church still stands in which General Muhlenberg delivered his famous sermon. Clad in the priestly vestments, which are still shown at the church, he preached from the text: "A time to keep silence and a time to speak, a time to love and a time to hate, and a time of war and a time of peace." He clearly showed that the time of war had come.

At the conclusion of the sermon he threw aside the priestly robes and disclosed himself arrayed in the military uniform of the Continental Army. He recruited the leading members of his congregation and marched off to join Washington in his struggle for American liberty. General Muhlenberg in after years represented a Pennsylvania district in Congress and be-

came the Speaker of the House. Across this park passes the old Spottswood Trail. Governor Spottswood, calling on all young Virginians of his day, crossed the mountain where Stanardsville is now located and was the first white man to look on the far side of the Blue Ridge Mountain. From the point where he crossed, the valley in all its glory and beauty for miles and miles lay at his feet. To each of his companions Governor Spottswood gave a golden horseshoe with the motto engraved thereon: "Sic juvat transcendere montes" in commemoration of the event. Thus originated the Knights of the Golden Horseshoe, and many proud families trace their genealogy back to a golden horseshoe knight. We still sing in Virginia:

But, aye, the "Golden Horseshoe" knights  
Their old Dominion keep,  
Whose foes have found enchanted ground,  
But not a knight asleep!

I can not in the brief space of these remarks undertake to dwell at any great length upon the colonial history of the valley and of Piedmont, Va.

The history of the Civil War would be barren indeed if the history of this Piedmont section and the valley were omitted. The great battles fought in Piedmont are too familiar even to mention, and in the valley we have the fame of Jackson on the Confederate side commemorated and of Sheridan and his 20-mile ride on the Union side. Here we have the battle field of New Market, where the cadets of the Virginia Military Institute won undying fame.

The valley campaign of Jackson, the valley campaign of Sheridan, and the New Market Battle give as great historical value to the valley side as do the battles of Bull Run, of Fredericksburg, and the Wilderness to the plains of Piedmont. But this territory does not depend upon its historic fame. Thousands and thousands of tourists traverse the valley, not only because of its scenic beauty but also because of some of the most wonderful natural phenomena on this continent. The Shenandoah Caverns, the Luray Caverns, the Endless Caverns, the Grottoes, and the Natural Bridge, which each year attract more and more the tourists because of their wonderful and peculiar formations.

This section on either side of the mountain, too, is as highly developed as any section in the State. Here are the great colleges, the University of Virginia, Washington and Lee, the Virginia Military Institute, and the State normal schools. In the chapel at Washington and Lee under the beautiful recumbent statue, a work of art by Valentine, sleeps Gen. Robert E. Lee. One traveling along the Lee Highway, passing through the Shenandoah National Park on the road to the Great Smoky, will never lack for want of interest either in landscape beauty, in historical points of interest, or in the present development of the country, or in great natural phenomena.

The present legislation is but the initiatory step toward securing this great playground for the millions of people who live within easy reach of the parks. Great highways are now being constructed passing by the entrances of these parks and leading to the far West. Other great highways have been constructed leading to the densely populated centers of the East. This proposed park, within a few hours' drive of the great National Capital over splendid highways, will be the recreation ground annually of millions of tired Americans. The selection of the Shenandoah National Park by the commission bears testimony of the distinguished character of the personnel of that commission. From every quarter of the State come assurances that Virginia indorses this project. Virginia knows no sectionalism, and though the northern section of Virginia may be said to be the more closely identified with this park proposition, yet every section of the State has shown that the State is fully aware throughout its entire border of the importance of this park to the State as a whole.

The State of Virginia will cooperate with the National Government to the fullest extent of her power to make this park a source of pride to the entire Nation.

Mr. THATCHER. Mr. Speaker, I simply wish to make a brief statement concerning Senate bill 4109, which has passed the Senate and House and has become a law. It provides for the making of official surveys of the three great national park projects east of the Mississippi, now engaging official consideration and public attention, namely, the Blue Ridge Mountains, the Smoky Mountains, and the Mammoth Cave projects.

The act is as follows:

An act to provide for the securing of lands in the southern Appalachian Mountains and in the Mammoth Cave regions of Kentucky for perpetual preservation as national parks

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary

of the Interior is hereby authorized and directed to determine the boundaries and area of such portion of the Blue Ridge Mountains of Virginia lying east of the South Fork of the Shenandoah River and between Front Royal on the north and Waynesboro on the south as may be recommended by him to be acquired and administered as a national park, to be known as the Shenandoah National Park, and such portion of the Smoky Mountains lying in Tennessee and North Carolina as may be recommended by him to be acquired and administered as a national park, to be known as the Smoky Mountains National Park, and in the Mammoth Cave regions of Kentucky and also such other lands in the southern Appalachian Mountains as in his judgment should be acquired and administered as national parks, and to receive definite offers of donations of lands and moneys, and to secure such options as in his judgment may be considered reasonable and just for the purchase of lands within said boundaries, and to report to Congress thereon: *Provided*, That the Secretary of the Interior may, for the purpose of carrying out the provisions of this act, appoint a commission of five members, composed of a representative of the Interior Department and four national park experts, said four members to serve without compensation.

SEC. 2. A sum sufficient to secure options and to pay the necessary expenses of the commission in carrying out the provisions of this act, including the salary of one clerk to the commission at a rate not to exceed \$2,000 per annum, necessary traveling expenses of the members of the commission, and \$10 per diem in lieu of actual cost of subsistence, in all, not to exceed \$20,000 is hereby authorized to be appropriated.

I earnestly supported and aided in securing the committee amendment of the House bill (H. R. 11980) providing for the survey of the Mammoth Cave regions in Kentucky, in conjunction with the surveys of the Blue Ridge and Smoky Mountains projects, and the President's approval of the Mammoth Cave survey; and later aided in securing the substitution of the House bill, as thus amended, for the original Senate bill 4109, and its enactment. There are various other Members of the House and Senate who have worked for the enactment of this measure and for these surveys, and there has been involved a community of interest entirely proper and most effective; and I trust that this community of interest will continue until all three of these great projects materialize into national parks—great recreation places and playgrounds—for all our people, and especially for the teeming millions east of the Mississippi, who have nothing in the way of national parks provided in their sections.

There should be no jealousy between the respective advocacies involved. I am sure that those who, like myself, from intimate contact and knowledge, are the especial champions of the Mammoth Cave project, feel nothing but good will for the other two projects. All three are needed. Each is greatly interesting and unique; they are widely separated; yet all are in old and populous communities and can be readily reached from every section of the country by road and rail, and Mammoth Cave by boat, as well. Each will greatly serve our people. The three projects, with good roads linked up between, as soon will be the case, will constitute a great playground triangle.

Certainly if the Nation can afford so large a number of national parks in the far-away West, with their vast areas involved and sparse populations affected, it can afford to acquire and maintain these three projects east of the Mississippi River, for park purposes. The Mammoth Cave region is near the center of population of the United States, and is in every way readily accessible. Its marvels are so well and favorably known that it is not necessary to describe them to any intelligent audience in the civilized world. Long has Mammoth Cave been known as one of the "seven wonders of the world," and such it continues to be. It is located in a section where the whole country is cavernous beneath the surface, and the whole surface itself is very beautiful. That surface traversed to the mouth of the cave by Green River, a navigable stream and one of the deepest rivers in the world, possesses a beauty and charm of great hills, lovely valleys, and magnificent forests that would entitle it to be favorably considered for national park purposes, even though beneath that surface there did not lie the greatest underground wonderland in all the world. New caves from time to time are being discovered there, and the half of the beauty and vastness of this underground region, in what is certainly one of the loveliest States of the Union, has never been told, and can never be told.

No wonder that the spirit of adventure has lured such brave and splendid spirits as Floyd Collins to accept the call and challenge of this hidden realm, and to assume all the hazards involved in the exploration of the undiscovered sections of that realm, in order to experience the joy and thrill of being

the first to see and chart these hidden recesses of the earth, so vast and far reaching in their extent, so marvelously beautiful in their adornment, as to beggar description. The tragedy of Sand Cave, while it snuffs out the candle of this brave fellow's life, but emphasizes and calls attention to this great region, which is now to be surveyed under the provisions of this bill. It is the old, old story. He dies that he may live. His death will bear rich and precious fruit for those who survive or come after him.

Because of legal involvements affecting the title and ownership of the original Mammoth Cave property, the time has come for action. To delay may mean to lose. To permit the loss of the Mammoth Cave region as a national park, would mean to commit a national crime. Every instinct of conservation and patriotism cries out against such neglect. Onyx Cave, Crystal Cave, and Colossal Cavern are of more recent discovery than Mammoth Cave, but they are all a part of this wonderful underground world, and all will be embraced in the impending survey. Something like 18,000 acres are now available—that is to say, are now in shape for acquirement—for Mammoth Cave national park purposes; and fully as much more can be satisfactorily acquired if needed. We trust, and have every reason to hope, that the survey will result in a favorable finding and report. In any event, the full power and final responsibility lie with Congress.

The Mammoth Cave National Park Association, with headquarters at Bowling Green, Ky., has been organized for the specific purpose of aiding in the great work of making this region into a national park. The association has rendered, and is rendering, invaluable service. Its chief officers are: Mills M. Logan, president; J. L. Harman, vice president; Sterrett Cuthbertson, treasurer; and Robert M. Coleman, jr., secretary—all of Bowling Green. All of them are men of ability and wide experience; and all of them, together with the association's directors, are performing a fine and unselfish work.

Let us act together—both those within and those without this Chamber who believe in great national playgrounds for the people—to bring about the speedy conversion of all these greatly needed, advantageously located, and highly desirable projects into such playgrounds. We owe this service to the vast population living east of the Mississippi, and we owe it to the country at large. Let us perform it.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. REECE, a motion to reconsider the vote whereby the bill was passed was laid on the table.

#### ONE HUNDRED AND FIFTIETH ANNIVERSARY OF THE BATTLE OF BUNKER HILL

The next business on the Consent Calendar was H. J. Res. 318, establishing a commission for the participation of the United States in the observance of the one hundred and fiftieth anniversary of the Battle of Bunker Hill, authorizing an appropriation to be utilized in connection with such observance, and for other purposes.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. BLACK of Texas. Reserving the right to object, I would like to ask the gentleman from Massachusetts [Mr. TAGUE] a question. I notice that it is recommended that sections 5 and 6 go out of the bill. Is the gentleman willing to agree to that?

Mr. TAGUE. Yes.

Mr. BLACK of Texas. With the understanding that sections 5 and 6 shall be stricken from the bill I shall not object.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Resolved, etc.*, That there is hereby established a commission to be known as the United States Bunker Hill Sesquicentennial Commission (hereinafter referred to as the commission) and to be composed of 11 commissioners, as follows: Three persons to be appointed by the President of the United States, four Senators by the President of the Senate, and four Members of the House of Representatives by the Speaker of the House of Representatives. The commission shall serve without compensation and shall select a chairman from among their number.

SEC. 2. There is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated the sum of \$5,000 to be expended by the commission for actual and necessary traveling expenses and subsistence while discharging its official duties outside the District of Columbia.

SEC. 3. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$10,000 to be utilized in the discretion of the commission for the appropriate participation on the part of the United States in the celebration and observance of the one hundred and fiftieth anniversary of the Battle of Bunker Hill to be commemorated on or about June 17, 1925.

SEC. 4. The Postmaster General is hereby authorized and directed to issue a special series of postage stamps, in such denominations and of such designs as he may determine, commemorative of the one hundred and fiftieth anniversary of the Battle of Bunker Hill and of the one hundred and fiftieth anniversary of such other major events of the Revolutionary War as he may deem appropriate.

SEC. 5. In commemoration of the one hundred and fiftieth anniversary of the Battle of Bunker Hill there shall be coined at the mints of the United States silver 50-cent pieces to the number of 300,000, such 50-cent pieces to be of the standard troy weight, composition, diameter, device, and design as shall be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, which said 50-cent pieces shall be legal tender in any payment to the amount of their face value.

SEC. 6. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coining, providing for the purchase of material, and for the transportation, distribution, and redemption of the coins, for the prevention of debasement or counterfeiting, for security of the coin, or for any other purposes, whether said laws are penal or otherwise, shall, so far as applicable, apply to the coining herein authorized: *Provided*, That the United States shall not be subject to the expense of making the necessary dies and other preparations for this coining.

Mr. BLACK of Texas. Mr. Speaker, I move to strike out section 5 from the bill.

The Clerk read the amendment, as follows:

Amendment by Mr. BLACK of Texas: Beginning on page 2, line 24, strike out section 5.

The amendment was agreed to.

Mr. LUCE. Mr. Speaker, there is a report accompanying the bill recommending the striking out of sections 5 and 6, but through some inadvertence the lines were not drawn through the text. I move that section 6 be stricken out.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, beginning on line 8, strike out all of section 6.

The amendment was agreed to.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

#### HOUDON'S BUST OF WASHINGTON

The next business on the Consent Calendar was the bill (H. R. 11799) to secure a replica of the Houdon bust of Washington for lodgment in the Pan American Building.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HUDDLESTON. Mr. Speaker, I do not feel that art objects ought to be acquired in this way. I object.

#### TEMPORARY BUILDINGS OF RED CROSS

The next business on the Consent Calendar was S. J. Res. 95, to authorize the American National Red Cross to continue the use of temporary buildings now erected on square No. 172, Washington, D. C.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

There was no objection.

The Clerk read the joint resolution, as follows:

Whereas by joint resolution of Congress approved the 22d day of May, 1917, authority was granted to the American National Red Cross to erect temporary structures upon square No. 172, in the city of Washington, D. C., for use in connection with its work in cooperation with the United States Government, provided said buildings erected under said authority should be removed and the site or sites thereof placed in good condition within such time as may hereafter be provided by Congress; and

Whereas the buildings erected pursuant to said resolution are still needed for use in connection with its work in cooperation with the United States Government: Therefore be it

*Resolved, etc.*, That authority be, and is hereby, given to the central committee of the American National Red Cross to continue the use of such temporary buildings as are now erected upon square No. 172, in the city of Washington, for the use of the American Red Cross in connection with its work in cooperation with the Government of the United

States: *Provided*, That any building or buildings the use of which is extended under this authority shall be removed and the site or sites thereof placed in good condition within such time as may hereafter be provided by Congress: *Provided further*, That the United States shall be put to no expense of any kind by reason of the exercise of the authority hereby conferred.

With the following committee amendments:

Page 1, strike out the preamble.

Page 2, line 11, strike out the words "within such time as may hereafter be provided by Congress," and insert "not later than December 31, 1926."

The committee amendments were agreed to and the joint resolution as amended was ordered to be read the third time, was read the third time, and passed.

#### PURCHASE OF PAINTING ENTITLED "PEACE"

The next business on the Consent Calendar was the bill (H. R. 4848) to purchase a painting of the several ships of the United States Navy in 1891, and entitled "Peace."

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LOZIER. Mr. Speaker, I object.

Mr. ANDREW. Mr. Speaker, will the gentleman withhold his objection for a moment?

Mr. LOZIER. Certainly.

Mr. ANDREW. This is a picture that has hung in the Naval Affairs Committee room for 30 years. It is an important historical picture and represents the beginning of the modern American Navy. It is a picture of great artistic value. The artist died many years ago, and it has only been brought to our attention lately that the picture which the committee and the public have enjoyed for 30 years has never been paid for.

Mr. LOZIER. As I understand the gentleman, and as I understand the report, this picture some 25 or 30 years ago was placed by the artist in the room of the Committee on Naval Affairs.

Mr. ANDREW. Yes.

Mr. LOZIER. And it has been there for 25 years, and not until after the death of the artist has any suggestion ever been made for its purchase.

Mr. ANDREW. Some 20 years ago, before the artist died, a bill was introduced for this purpose and was favorably reported by the committee but never came up for consideration by the House. The artist died and his wife died and he had two daughters who brought this thing to our attention about a year ago. The chairman of the committee, the gentleman from Pennsylvania [Mr. BUTLER], knows more about the picture than I do, and I wish the gentleman would listen to him for a moment.

Mr. LOZIER. Did I understand the gentleman to say that it represented the beginning of the American Navy?

Mr. ANDREW. Of the modern Navy.

Mr. LOZIER. It is a picture of four or five commonplace vessels, probably our best ships at that time. Are there not hundreds of similar paintings all over the United States?

Mr. ANDREW. Not of this character. This picture was exhibited in the Columbian Exhibition, the World's Fair at Chicago, and attracted a great deal of attention at that time. It traveled around the country and finally was sent here by the artist, supposing the Capitol to be the appropriate place for it, and that the Government would purchase it. He died and his wife died, and the two daughters, I imagine, forgot all about it until about a year or two ago when it was brought to our attention that it had never been paid for. I would like to have the chairman of the committee say a word.

Mr. BUTLER. Mr. Speaker, if I had the money I would buy the picture and hang it in this Hall.

Mr. LOZIER. That would be a very commendable thing to do.

Mr. BUTLER. Because it is labeled "Peace." It is the only picture that has hung in that committee since I have been a member of it that does not point blazing guns in our faces. There is a sentiment in it that touches us all alike, and it is looked at every day by all of us. It is the sign of peace. It is the emblem of peace. I know nothing of artistic works. I know the effect that painting has. It is something that touches the souls of men, and it has gotten into the lives of all of us who sit there. I ask the gentleman not to object. As I say, if I had the means I would buy the picture and let it hang there, but I have not. I understand they first asked \$25,000 for it. It can be bought for a very small sum now,

and some day it will be one of the great historical pictures of the Capitol.

Mr. LOZIER. I find it exceedingly difficult to resist the earnest appeal of the distinguished gentleman from Pennsylvania [Mr. BUTLER], chairman of the Committee on Naval Affairs, whose splendid ability, patriotic service, and admirable qualities of mind and heart have endeared him to the entire membership of this House. But notwithstanding his persuasive appeal I still feel it my duty to object to the consideration of this bill.

While I am not a connoisseur of painting or a competent or critical judge of art, still I am not a vandal. I admire the artistic, the grand, and the beautiful. I am not ignorant of the important part played by painting and the other fine arts in the development of our intricate and complex civilization. I am not insensible to the influence a taste for the sublime and beautiful has had on mankind. I do not undervalue painting as an ennobling art. I appreciate the animating, inspiring, uplifting, and cultural effects of the superb paintings of the great masters, which charm the senses, intoxicate the imagination, and exalt the esthetic emotions of men.

But, Mr. Speaker and gentlemen, we as Representatives are not free at all times to express our appreciation of the fine arts. We should not be swayed from the path of duty and common sense. We have no moral right to appropriate \$5,000 of the people's money to purchase the painting mentioned in this bill. We have received no commission or instructions from our constituents to use Government funds to purchase oil paintings, although perchance such paintings may have been the product of outstanding genius and been executed with pure and faultless taste and harmonious proportions.

I have vigorously opposed the appropriation of \$14,750,000 to build a bridge across the Potomac River at Washington, because the bridge is not demanded by existing conditions, the three bridges we now have being sufficient to satisfy all traffic demands. On the same principle I am opposed to appropriating \$5,000 to buy this picture. Either expenditure would be exceedingly extravagant. I am opposed to every needless or extravagant expenditure of public funds, whether it be \$5,000 for an oil painting or \$14,750,000 for a granite and marble monument in the form of a bridge.

Let us not lose this golden opportunity and honor of serving the cause of economy in the administration of the financial affairs of this Nation. By traveling at all times in the path of economy we will contribute to governmental efficiency and thereby promote the felicity of our people. Reduced to the last analysis, this bill is an attack on the United States Treasury through the avenue of our sensibilities and appreciation of the esthetic and artistic. You asked me to withdraw my objections to this bill, and if I accede to your request the bill will be immediately considered and passed. This will take \$5,000 out of the United States Treasury. By holding to my objection I will prevent consideration of this bill at this time, and by delaying consideration I hope to ultimately defeat the bill. I would like to be gracious and generous to my colleagues. I hate to oppose their wishes and object to bills in which they are so deeply interested, but I consider this a bad measure and believe that its enactment would establish a bad precedent, as well as violate the first principle of economy. I must, therefore, object to the consideration of this bill.

This bill seeks to appropriate \$5,000 collected from the American people by taxation for the purchase of a painting that has hung for 25 years on the walls of the room occupied by the Committee on Naval Affairs. We are told that the artist merely loaned the painting to the committee or the Government. If so, it should be returned like any other borrowed property. There is no obligation on the part of the United States Government to buy it and pay \$5,000 to the daughters of the artist who produced this picture.

But some one may say, "It is only \$5,000." But I am contending for a principle, the principle of economy in the expenditure of public funds, and this principle should be rigidly applied at all times and on every proposition which involves the expenditure of public funds, no matter whether the amount involved be great or small. If we can appropriate \$5,000 to buy a picture, then on the same principle we can expend \$500,000 or \$5,000,000 for paintings, statues, and other works of art. I am not willing to establish this precedent. The way to economize is to economize. I am getting tired of hearing the present administration and its leaders in Congress "rant" about economy when millions of dollars are being needlessly appropriated and extravagance and prodigality permeates every department of our Government. We get nowhere by forever talking about economy while we vote extravagant appropriation at every turn of the road.

Mr. BUTLER. Does the gentleman object to allowing this to stay on the calendar?

Mr. LOZIER. If the gentleman brings the matter up again, I will object to it again. I regret I can not yield to the request of the distinguished gentleman from Pennsylvania.

Mr. BUTLER. Does the gentleman object to its remaining on the calendar?

Mr. LOZIER. I object to the legislation, and I want it to go off the calendar under the rule. Mr. Speaker, I object.

OPERATION OF GOVERNMENT RADIO STATIONS FOR PRESS MESSAGES

The next business on the Consent Calendar was H. J. Res. 334, to amend section 2 of the public resolution entitled "Joint resolution to authorize the operation of Government-owned radio stations for the use of the general public, and for other purposes," approved April 14, 1922.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution? [After a pause.] The Chair hears none.

Mr. FREE. Mr. Speaker, I ask to substitute S. J. Res. 177, which is identical with this bill.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the joint resolution.

The Clerk read as follows:

Joint resolution (S. J. Res. 177) to amend section 2 of the public resolution entitled "Joint resolution to authorize the operation of Government-owned radio stations for the use of the general public, and for other purposes," approved April 14, 1922

Resolved, etc., That section 2 of Public Resolution No. 48, Sixty-seventh Congress, approved April 14, 1922, is amended to read as follows:

"Sec. 2. The Secretary of the Navy is hereby authorized, under the terms and conditions and at rates prescribed by him, which rates shall be just and reasonable, and which, upon complaint, shall be subject to review and revision by the Interstate Commerce Commission, to use all radio stations and apparatus, wherever located, owned by the United States and under the control of the Navy Department (a) for the reception and transmission of press messages offered by any newspaper published in the United States, its Territories or possessions, or published by citizens of the United States in foreign countries, or by any press association of the United States, and (b) for the reception and transmission of private commercial messages between ships and between ship and shore: *Provided*, That the rates fixed for the reception and transmission of all such messages, other than press messages between the Pacific coast of the United States, Hawaii, Alaska, the Philippine Islands, the Virgin Islands, and the Orient, shall not be less than the rates charged by privately owned and operated stations for like messages and service: *Provided further*, That the right to use such stations for any of the purposes named in this section shall terminate and cease as between any countries or localities or between any locality and privately operated ships whenever privately owned and operated stations are capable of meeting the normal communication requirements between such countries or localities or between any locality and privately operated ships, and the Secretary of Commerce shall have notified the Secretary of the Navy thereof, and in any event all rights conferred by this section shall terminate and cease on June 30, 1927, except that all such rights conferred by this section in the Republic of China shall terminate and cease on January 1, 1924."

The Senate joint resolution was ordered to be read the third time, was read the third time, and passed.

The House joint resolution was laid on the table.

On motion of Mr. FREE, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

Mr. FREE. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on this resolution.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. FREE. Mr. Speaker, by joint resolution Congress passed an act which was approved June 5, 1920, authorizing the Navy Department for two years on the Pacific Ocean to transmit commercial messages at full commercial rates and news messages at a lower rate wherever privately operated stations were not prepared to give the necessary service. That authority was extended by joint resolution approved April 14, 1922, to June 30, 1925.

The present resolution (H. J. Res. 334) extends to June 30, 1927, the right of the Navy radio to send commercial messages from ship to ship and from ship to shore and extends the right as to news messages between the Pacific coast of the United States, Hawaii, Alaska, the Philippine Islands, the Virgin Islands, and the Orient until such time as privately owned and operated stations are capable of meeting the normal communication requirements,

That it is necessary to maintain an adequate news service at a reasonable rate in the Pacific can not be gainsaid.

The Pacific Commercial Cable Co., the majority of whose stockholders are British, owns and operates the only cable which connects the United States with the Far East. That cable extends from San Francisco to Shanghai, via Honolulu, Guam, and Manila, with a Japanese connection to Tokyo through Bonin Island, north of Guam.

This cable has been out of commission for months at a time between Manila and Guam. It is frequently congested with business. Communication with Japan is rendered difficult by lack of facilities on the connecting Japanese lines.

During the Arms Limitation Conference in Washington some of the Japanese newspapers attempted to get news through to Tokyo without the delay, due to cable conditions, and they were forced to pay therefor the urgent rate of \$3 per word.

By the Pacific Commercial Cable the rate charged for news transmission between San Francisco and Manila, 6,935 miles, subject to delay, is 27 cents per word, against, say, 6 cents which is charged for very much better service over the Imperial Cable between Sydney and Vancouver, approximately the same distance, and against about 13 cents which is charged for news messages between London and Sydney, over twice the distance.

The Japanese wireless and cable lines are not efficiently operated.

The Chicago Tribune finds the model line of communication on the Pacific to be the British Imperial Cable, from Vancouver to Sydney, via Fanning Island and Suva, with connections for the mainland of Asia. Service, it says, is snappy and accurate, much superior in both respects to any other cable on the Pacific; and the rate, although the distance is twice as far, is half the rate to Japan.

It must never be forgotten that communication by cable at press rate between the United States and the countries of the Far East, including the Philippines, via the Pacific, is in an extremely bad condition. While it is possible for news services to communicate with their offices in Paris and get a reply inside of four minutes, and have direct news communication with their representatives in London in less than a minute, and to communicate with South America at Buenos Aires and receive a reply within 45 minutes, communication between New York, San Francisco, and Tokyo, Manila, Hongkong, or Shanghai by cable is a matter of from 3, 6, to 12 hours, and at times even worse than that. Cable communication on a day-to-day basis is so poor between the United States and Japan and the Far East that in order to take care of the news needs in Peking, Shanghai, and Tokyo, news services have found it necessary to cable the news from New York to London and from London via the Great Northern Telegraph Co.'s system, which passes through Copenhagen, Moscow, Chita, Harbin, Peking, hence to Shanghai, and then by cable to Nagasaki and Tokyo. Although this method of communication is infinitely longer than the direct San Francisco to Tokyo route, yet it is found that on the average it is speedier and more efficient. Such a routing, however, would be impossible were it not for the ability of the important Japanese newspapers to pay the cost of such a service. Manila papers could never pay the tolls.

The Radio Corporation of America maintains a radio service between San Francisco, Honolulu, and Tokyo, but this service is not sufficiently extensive to cover the news needs of the Pacific.

It was undoubtedly a knowledge of these conditions and an appreciation of the necessity for adequate news communication with the outlying possessions of the United States which induced Congress in 1920 to authorize for two years the use of the radio facilities of the Navy Department on the Pacific Ocean for transmission of commercial messages at full commercial rates and of news messages at a low rate wherever privately operated stations were not prepared to give the necessary service. That authority was extended in 1922 up to July 1, 1925.

Under that authorization the director of naval communication established a news rate of 6 cents a word between Manila and San Francisco or Honolulu, and 3 cents between Honolulu and San Francisco.

Under encouragement of this rate, where there had been no news report before, a regular daily report of the news associations was established and has developed, the present sending being 1,100 words a day to Honolulu and 800 words a day to Manila.

This service, unsatisfactory at first, has gradually improved with improved installation and personnel. It is subject to certain handicaps in operation as compared with that of a

privately operated circuit, because of precedence demanded at times for Government messages and reports, but its possibilities are indicated by this statement of fact: Manila is now transmitting news to San Francisco by Navy radio direct, a distance of 6,221 miles, believed to be the longest one-way circuit in the world actually handling traffic. This circuit can not be worked satisfactorily for westbound messages at present, due to static conditions, and relay is had for such messages at either Honolulu or Guam, or both. On August 24, 1923, a message was sent by Navy radio from San Francisco at 3.30 p. m. and relayed by Honolulu to Cavite, near Manila, and the answer came direct to San Francisco from Cavite, being received at 3.54, an interval of 24 minutes.

There are between 6 and 10 newspapers published in Manila. The newspapers of Manila are the principal newspapers of the Philippine Islands. There are a few provincial newspapers printed outside of Manila, but they are of slight importance compared to the Manila press. The three big English-language papers in the Philippine Islands are the Manila Times, Manila Bulletin, and Manila Herald. The principal Spanish-language papers are the El Debate, Vanguardia, and La Defensa. Vanguardia also publishes a widely read edition in the Tagalog dialect, and the Spanish and Tagalog press have a very great influence. Compared to the circulations of American newspapers in towns of the size of Manila, the circulation of the Manila papers is distinctly small. None of these papers can possibly afford cable services of an expensive nature. There are but two channels whereby the newspapers and the people of the Philippine Islands can receive their information direct from the United States. These two channels are the naval radio service and the cable service of the Pacific Cable Co. The press rate of the Pacific Cable Co. is 27 cents a word. Twenty-seven cents a word is a prohibitory rate. In my judgment, to serve any one of the newspapers mentioned a report that is fairly comprehensive and world-wide in its scope at least 500 words per day would have to be filed to Manila. There is no newspaper in Manila that could afford to pay \$135 per day for its news service from the United States. Realizing the situation and appreciating the extreme importance of having the newspapers of Manila, the capital of America's greatest and most important dependency, in direct daily contact with the people of this country, Congress permitted the naval radio to carry press messages to the newspapers of the Philippine Islands at a nominal rate of 6 cents per word. Six cents per word is as high a rate as the newspapers of the Philippine Islands can pay under the present circumstances. On the basis of that rate the two leading American press associations are carrying services into the Philippine Islands, taking care of the news needs of these newspapers. Both associations are losing money doing it. The law which permits the Navy to carry press messages over the naval radio between San Francisco and the Philippines expires on June 30, 1925. Unless this privilege is extended under the provisions of your new bill the newspapers of Manila will be practically separated from the people of the United States after the 30th of next June.

The newspapers of Manila in order to secure any cable news whatsoever will be compelled to take recourse to either a Japanese service, which is supplied by an English news association, semiofficial in its nature and practically subsidized by the Japanese Government, or the Havas service, subsidized by the French Government, or a German propaganda wireless service that is distributed at a very low cost throughout the Far East by German wireless stations. Except for the American news services brought into the Far East and delivered to the newspapers of Manila via the naval radio and the service of the United Press carried into China, where it serves some 30 Chinese and English language papers, there is no American news service in the Far East.

The news of the Far East is dominated by Japanese, German, French, and British services, all more or less subject to control by their respective foreign offices, and almost all of them openly subsidized by their home governments. The voice of America in the Far East is, therefore, very largely dependent upon the naval radio service to Manila. In fact, in my judgment, I believe that the most important and vital work the American Navy is now doing in the Far East, in representing the United States and upholding its dignity and strength, is being performed by the naval radio. We can never win the respect and confidence of the people of the Far East by naval guns or military demonstrations. If we are going to win the Far East at all, we must win it through a growing understanding of America and an appreciation of what our real attitude toward the Far East is. This can only be obtained through their receiving fair and impartial news ac-

counts of events occurring in this country and elsewhere around the world.

In regard to the Virgin Islands: While the Virgin Islands are much closer to the United States than Manila, they are in even a worse condition as far as communication with the people of the United States is concerned. There are only two possible channels of communication between the outside world and the people of the Virgin Islands, and both of these are indirect. One is by French cable or the All-American Cable Co. from New York to San Juan, P. R., and from San Juan, P. R., to the Virgin Islands by the West Indian Cable Co., an old British line, that has a very small carrying capacity, and is often out of commission. The other way is via the Western Union to Cuba, and from Cuba to the Virgin Islands by this same British West Indian Cable Co. The French Cable Co. has a station on the Virgin Islands, but maintains it only as a relay point, and does not attempt to serve any of the Virgin Islands.

There is no regular press rate between the United States and the Virgin Islands, and the lowest obtainable rate quoted is 25 cents a word, which is prohibitive. There are three newspapers in the Virgin Islands, none of them having a circulation of over a thousand daily. The only other way that it would be possible for an American news service to get to the Virgin Islands would be by cable to San Juan and hence by radio. If this method of communication is possible, and there seems to be some question as to whether it is or not, the rate would be the combination of the local rate between New York and San Juan and San Juan and the Virgin Islands, which would be approximately 20 cents per word. In any case, the rate would be prohibitive. Our duty toward the people of the Virgin Islands is as keen and pressing as our duty to the people of the Philippines, and if the naval radio can offer a direct channel of communication between the United States and the Virgin Islands, this channel should be opened for a low-rate press service, so that the people of the Virgin Islands could get some news from the United States and not receive it from some European agency, with no interest in the development of a cordial feeling of good will between the people of the Virgin Islands and the United States.

Great Britain, in arranging for communication for her different dominions with each other and with the mother country, has borne striking witness to her appreciation of news communication as an invaluable factor in maintaining trade and close imperial relations, and also to her realization of the necessity for a low-word rate for news reports, in order that such reports may be constant and reliable. She has promoted the inauguration and operation by a private company—the Eastern Cable Co.—of a cable system connecting the home country with all the dominions, and extending from England to Spain, thence down the west coast of Africa and up the east coast of that continent, thence across the Indian Ocean and along the coast of India to Eastern Asia, to Hongkong and Shanghai, with extensions to Australia and New Zealand.

In collaboration with Australia and Canada, she has laid a Government cable from Sydney to Vancouver, via Fanning Island.

Over this cable system news is transmitted between London and Australia, 15,000 miles, at 7½ pence per word—a small fraction of the commercial rate.

Between Australia and Canada, 6,930 miles, the news rate is 3¼ pence per word—equivalent to about 6 cents—while the commercial rate is 2 shillings 6 pence—or over ten times as great as the news rate.

Notwithstanding these favorable conditions for the transmission of news by cable, the Australian section of the Empire Press Union at its convention in 1922 called attention to the great necessity, in the interests of the Empire, of even lower rates. In accordance with the policy thus indicated, Australia has taken over the private radio stations in that country and is erecting now a high-power station which will give direct communication with London and Vancouver, and which is to provide special facilities for news communication at a rate of about two-thirds of the low rate now charged by cable.

New Zealand receives her news from Australia—over 1,400 miles of cable—at an expense of 3 shillings per 100 words—less than three-fourths of a cent per word.

The continuation of this service by our naval radio has been very strongly urged by General Wood, Governor General of the Philippines, and by Gov. W. R. Farrington, of Hawaii, and by the newspapers and chambers of commerce about the Pacific.

#### EXCHANGE OF LANDS IN ROCKY MOUNTAIN NATIONAL PARK

The next business on the Consent Calendar was the bill (H. R. 11952) to authorize the exchange of certain patented

lands in the Rocky Mountain National Park for Government lands in the park.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

*Be it enacted, etc.,* That the owner of the northeast quarter southeast quarter section 22; northwest quarter southwest quarter, east half southeast quarter section 23; and northeast quarter northeast quarter section 28, township 4 north, range 74 west, sixth principal meridian, Colorado, within the Rocky Mountain National Park, is hereby permitted and authorized to convey the fee-simple title thereto to the United States, and select in lieu thereof the south half southeast quarter, south half northeast quarter southeast quarter, south half southeast quarter southwest quarter, south half south half northwest quarter southeast quarter, south half north half southeast quarter southwest quarter, section 7, township 4 north, range 73 west, and the north half north half northwest quarter northeast quarter, north half north half northeast quarter northwest quarter, section 18, township 4 north, range 73 west of said meridian; and the Secretary of the Interior is hereby authorized and empowered to accept such conveyance and thereafter cause a patent for the lands so selected to be issued to such owner, reserving to the United States, however, such rights of way as may be needed for the construction and maintenance of roads in the park: *Provided,* That the lands so conveyed shall become and be a part of said park and be subject to all laws and regulations relating to other lands therein.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

#### COINAGE OF 50-CENT PIECES FOR ANNIVERSARY OF BATTLE OF BENNINGTON

The next business on the Consent Calendar was the bill (S. 3895) to authorize the coinage of silver 50-cent pieces in commemoration of the one hundred and fiftieth anniversary of the Battle of Bennington and the independence of Vermont.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

*Be it enacted, etc.,* That in commemoration of the one hundred and fiftieth anniversary of the Battle of Bennington and the independence of Vermont there shall be coined in the mints of the United States silver 50-cent pieces to the number of 40,000, such 50-cent pieces to be of the standard troy weight, composition, diameter, device, and design as shall be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, which said 50-cent pieces shall be legal tender in any payment to the amount of their face value.

Mr. RAKER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, at the end of line 12 add a new section, to be known as section 2, as follows:

"Sec. 2. That in commemoration of the seventy-fifth anniversary of the admission of the State of California into the Union there shall be coined at the mints of the United States silver 50-cent pieces to the number of not more than 300,000, such 50-cent pieces to be of the standard troy weight, composition, diameter, device, and design as shall be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, which said 50-cent pieces shall be legal tender in any payment to the amount of their face value.

"The coins herein authorized by section 2 hereof shall be issued only upon the request of the San Francisco Clearing House Association and the Los Angeles Clearing House Association, or either of them, and upon payment by such associations, or either of them, to the United States of the par value of such coins."

Mr. RAKER. Mr. Speaker, this amendment is the same as the bill which passed the Senate in identically the same language. The gentleman from Texas made no objection to the bill, and I call attention to this, that this will be the last one we will get through. The Senate bill (S. 4024) is in identically the same language. Senator SHORTRIDGE got the bill through the Senate. This gives an opportunity to represent the diamond anniversary of the admission of California into the Union. The Senator is exceptionally anxious that it should go through.

Mr. GARRETT of Tennessee. Is that a good reason?

Mr. RAKER. A California Senator, yes; under the circumstances.

Mr. VESTAL. Mr. Speaker, I desire to be heard on the bill. Mr. Speaker and gentlemen of the House, I hope this amendment will not be adopted. Of course, we must stop somewhere in legislating in reference to these special coins to commemorate every little event that occurs in the United States.

Mr. RAKER. Will my friend yield there?

Mr. VESTAL. In just a minute, after I make my statement. I know that it is awfully hard for a committee before whom these bills are presented to draw the line, because we all have friends. Hearings were had on the bill and no objection was made to the reporting of the Bennington coins. Before the committee the Treasury Department had its representatives, and the Director of the Mint was present, and the department opposed the coining of these special coins. It cheapens the coin of the country. There is no question about it. The committee reported favorably upon this particular bill and then passed a rule that they would not report any more of these special coin bills for any State.

There was pending then before the committee one other bill for special coins, the bill having been introduced by the gentleman from the State of Washington, Mr. JOHNSON. He was notified of the action of the committee and immediately changed the bill and presented one to the committee asking that a medal be made instead of a coin. The Treasury Department has no objection to making medals to celebrate these different events, but they are opposed to the issuing of special coins.

Mr. RAKER. Will the gentleman yield right there?

Mr. VESTAL. In just one moment. The committee reported one bill authorizing the Secretary of the Treasury to prepare a medal with appropriate emblems and inscriptions commemorative of the Norse-American centennial, and that bill is now on the Consent Calendar. We must stop somewhere, and so the committee passed the rule not to report out any more bills authorizing special coins.

Mr. MacLAFFERTY. Will the gentleman yield?

Mr. VESTAL. I promised to yield to the gentleman from California [Mr. RAKER].

Mr. MacLAFFERTY. If the gentleman must stop somewhere, might I ask him to stop after California, and not before?

Mr. VESTAL. I can understand the gentleman's feelings about it, but I feel we ought to stop sometime, and now is just as good a time as any.

Mr. RAKER. If the gentleman will yield, the gentleman has been exceptionally courteous to me in this matter; and since I talked with him a little while ago I called up the Senator, and he said the Senate understood they would let these bills go through. The other bill went through. He says to me, "John, it is your duty to plead to the House to-day to let California in on this to represent the diamond anniversary of her admission into the United States." I hope my friends will let it go on.

Mr. VESTAL. I am simply presenting my side to the House. I do not believe this amendment ought to be passed. I hope, gentlemen of the House, that you will vote down this amendment.

Mr. BLANTON. Why not let us vote down both propositions. One is East, and one is West.

Mr. VESTAL. I know; but the committee has reported the other bill. After reporting the bill the committee passed a rule that they would not report any more of these bills. I want to put that before the House.

Mr. GARRETT of Tennessee. Why did not the committee pass the rule before it reported this bill?

Mr. VESTAL. It is pretty hard to answer why it did not; but the committee did do it, and it had to stop somewhere, and after reporting this bill we adopted the rule not to report any more bills of this character.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. JOHNSON of Washington. Mr. Speaker, I move to further amend the bill by adding, after the word "California," in the amendment just adopted, the words "and Vancouver, Wash." That is all there is to it. [Applause.]

The SPEAKER pro tempore. The Clerk will report the amendment offered by the gentleman from Washington.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Washington to the amendment offered by Mr. RAKER: After the word "California" insert "and Vancouver, Wash."

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the gentleman from Washington.

The amendment was agreed to.

The SPEAKER pro tempore. The Clerk will proceed with the reading of the bill for amendment.

The Clerk resumed and completed the reading of the bill.

The SPEAKER pro tempore. The question is on the third reading of the bill.

The bill was ordered to be read the third time, was read the third time, and passed.

On motion of Mr. RAKER, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. RAKER. Mr. Speaker, I ask that the title be amended to conform with the text.

The SPEAKER pro tempore. Without objection, that will be done.

There was no objection.

#### HOUDON BUST OF WASHINGTON

Mr. LUCE. Mr. Speaker, when objection was made to the bill H. R. 11799, No. 627 on the calendar, it was not understood that this was in response to the request by the Secretary of State, transmitted by the President. In view of the present understanding in the matter, I ask unanimous consent to return to Calendar No. 627.

The SPEAKER pro tempore. The gentleman from Massachusetts asks unanimous consent to return to Calendar No. 627. Is there objection?

Mr. BLANTON. We would like to have it reported first, so that we will know what is in it.

The SPEAKER pro tempore. Without objection, the bill will be reported.

The Clerk read as follows:

A bill (H. R. 11799) to secure a replica of the Houdon bust of Washington for lodgment in the Pan American Building.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.*, That the Secretary of State be, and he is hereby, authorized and directed to secure a replica of the Houdon bust of Washington, in white marble with suitable pedestal, for lodgment in the Hall of Americas of the Pan American Building at Washington, in accordance with the plan contemplated at the time of the completion of the Pan American Building, not to exceed in cost the sum of \$1,000, which amount is hereby appropriated out of any money in the Treasury not otherwise appropriated.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER pro tempore. The Clerk will report the next bill.

#### CLAIM OF RHODE ISLAND FOR EXPENSES DURING THE WAR WITH SPAIN

The next business on the Consent Calendar was the bill (H. R. 913) referring the claim of the State of Rhode Island for expenses during the war with Spain to the Court of Claims for adjudication.

The title of the bill was read.

Mr. WINTER. Mr. Speaker, this bill is similar to another bill that we have passed.

The SPEAKER pro tempore. Without objection, the bill will be laid on the table.

There was no objection.

#### BURIAL PLACE OF ZACHARY TAYLOR

The next business on the Consent Calendar was the bill (H. R. 9724) to authorize an appropriation for the care, maintenance, and improvement of the burial grounds containing the remains of Zachary Taylor, former President of the United States, and of the memorial shaft erected to his memory.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. STEPHENS. I object.

Mr. THATCHER. Will the gentleman withhold his objection for a moment?

Mr. STEPHENS. I will reserve it.

Mr. THATCHER. Mr. Speaker and gentlemen of the House, this bill simply authorizes an appropriation for the care and improvement of the burial grounds of Zachary Taylor, "Old Rough and Ready," the twelfth President of the United States. The burial grounds are in bad condition and the burial vault needs reconstruction. It ought to be put in good condition. The purpose of this bill is to give authorization for an appropriation, and when that is done the Government is authorized to take over the grounds and maintain them as a national

cemetery, just as the burial grounds of Andrew Johnson were taken over in 1906 by the United States Government, and have since been maintained as a national cemetery. The Zachary Taylor burial grounds are located near Louisville, Ky. I hope the gentleman will withdraw his objection.

Mr. Speaker, the bill, known as House bill 9724, as amended, is designed to cure the long neglect of the Federal Government to care for the burial spot of one of the greatest soldiers and most patriotic citizens the Republic has produced, the twelfth President of the United States, and in his day lovingly known as "Old Rough and Ready." Upon his death in the White House in July, 1851, his remains were first interred in a cemetery at Washington; but later, because of a request made by him before his death, they were removed to the old Zachary Taylor homestead in Jefferson County, Ky., near Louisville, and there consigned to a burial vault. The burial plot contains approximately 5 acres. During the many years that have elapsed since General Taylor's remains were removed to Kentucky, the Federal Government has never expended a dollar for the care, maintenance, or improvement of these grounds or the burial vault. The Taylor homestead has long since passed into hands not of the Taylor blood. Some years ago the State of Kentucky acquired this burial tract, or a portion of it, and erected thereon an appropriate granite shaft or monument in commemoration of the life and deeds of this distinguished soldier President. The State took this step because of the long failure of the National Government to take any such action. No funds for the care of the grounds, monument, and vault have, however, been provided, except such as have been furnished by the public spirited and patriotic citizens of the Louisville community.

The feeling has always prevailed that the duty to provide such funds was that of the Government for which General Taylor had given 40 years of his life as a soldier. Now, the burial vault has fallen into decay and should be reconstructed; the grounds should be put in adequate condition and thus maintained; the fence or walls inclosing the grounds should be repaired or improved, and an appropriate entrance or gateway should be provided. These are pressing needs that require immediate attention. The appropriation of \$10,000, authorized in the bill, will take care of these matters. Then the grounds, vault, and shaft should be permanently maintained in a way appropriate and in keeping with what is due an ex-President and distinguished soldier of the Republic. All should be maintained as a patriotic shrine. For the purpose of enabling the National Government to meet its obligations on the score of care and maintenance, the bill provides that when the grounds shall be conveyed by good and perfect title to the United States Government, and without charge or cost to the United States Government, the Secretary of War shall establish thereon a national cemetery. When the grounds become a national cemetery they will be maintained by the National Government, under the supervision of the Secretary of War, as such. The annual expense of maintenance, after the needed improvements already mentioned have been made, will be small.

The Governor of Kentucky has already stated that if this bill becomes a law he will take the necessary steps to cause the conveyance by the State to the United States Government of its title; and Congress may rest assured that if this bill becomes a law, the conveyance of these grounds will be promptly made.

The grounds are situated near the Brownsboro Road, one of the most important thoroughfares in Jefferson County. A roadway, less than a half mile in length, leads from the Brownsboro Road to the burial grounds. Recently the State of Kentucky, which held the title to this roadway, which was practically unimproved, arranged for its conveyance to Jefferson County, and the Jefferson County Fiscal Court has reconstructed the roadway. If this bill passes, we have the assurance that this roadway will be widened, and that private and patriotic enterprise will thereupon convert it into a "memorial lane," planted on both sides with trees, to be thus maintained without expense to the United States Government, in commemoration not only of the great soldier who sleeps the eternal sleep in these grounds, but in general commemoration, also, of the service and sacrifice of our American soldiers and sailors. Already activities to this effect have been commenced under the leadership of the "Zachary Taylor Memorial Lane Committee" of the Louisville Outdoor Art League. Three splendid women of Louisville, officers of this memorial lane committee—Mrs. Charles D. Greer, Miss Fannie Figg, and Miss Amelia Laver—at their own expense came to Washington, and, upon the hearing on this bill, appeared before the House Library Committee in behalf of the bill. They gave further assurance as to what will be done

about the conversion of this roadway into a beautiful memorial lane if Congress enacts the pending measure.

There are many precedents for the action now asked at the hands of Congress. The acts providing for the erection of the Washington Monument and Lincoln Memorial are, of course, notable examples. In 1906, by an act of Congress, the Andrew Johnson burial grounds in Greene County, Tenn., about 15 acres in extent, were taken over by the United States Government, and, as already indicated, have since been maintained, and will be permanently maintained, as a national cemetery. Surely as much should be done to preserve properly the burial grounds of one who, as a soldier of his country, did so much to protect its citizens and to extend its boundaries.

In numerous cases Congress has appropriated money for the construction of monuments and memorials to soldiers and other distinguished citizens who never reached the Presidency.

There follows a list of some of the acts of Congress providing for the construction and maintenance, at Federal expense, of memorials to deceased presidents, soldiers, and others of the United States. It is practically impossible to make a complete list of such acts of Congress for the reason that there is no complete subject index of the early laws, and because, to make any complete list would require, in the absence of full indices, a very long and laborious search. However, some the acts have been examined and this is a statement of them—

ANDREW JACKSON EQUESTRIAN STATUE IN LAFAYETTE PARK, WASHINGTON, D. C.

Act of August 31, 1852 (10 Stat. 95), appropriating \$5,000 for the erection of a pedestal in Lafayette Square, in Washington, for the equestrian statue of Andrew Jackson.

Act of March 3, 1853 (10 Stat. 185), appropriating \$3,000 for completing the pedestal of this statue.

Act of March 3, 1853 (10 Stat. 214), providing \$20,000 to compensate Clark Mills for execution of this statue.

Act of May 31, 1854 (10 Stat. 293), appropriating \$500 for completing the pedestal and inclosure of this statue.

ABRAHAM LINCOLN MEMORIALS

Joint resolution of July 28, 1866 (14 Stat. 370), providing for life size model and statue to be executed at a price not to exceed \$10,000.

Act of February 9, 1911 (36 Stat. 898), creating Lincoln Memorial Commission, and providing for construction of the Lincoln Memorial at a total cost not exceeding \$2,957,000, with an immediate appropriation of \$50,000 for immediate expenses of the commission. Various appropriations have been made by Congress for this work agreeably to the provisions of this act. The total cost of the Lincoln Memorial to date has been \$2,558,720.

WASHINGTON MONUMENT

Act of August 2, 1876 (19 Stat. 123), providing for the completion of the Washington Monument, the sum of \$200,000 being made available for this purpose.

MONUMENT OVER THE GRAVE OF THOMAS JEFFERSON

Joint resolution of May 3, 1878 (20 Stat. 250), providing \$5,000 for the erection of a monument over the grave of Thomas Jefferson.

STATUE OF GEN. ULYSSES S. GRANT, WASHINGTON, D. C.

Act of February 23, 1901 (31 Stat. 803), creating a commission to select a site and secure plans and designs for a statue or memorial of Gen. Ulysses S. Grant, said statue not to cost in excess of the sum of \$250,000. A sum of \$10,000 appropriated for expenses incident to selecting site and formulating plans and designs.

MONUMENT TO GEN. HUGH MERCER, FREDERICKSBURG, VA.

Act of June 28, 1902 (32 Stat. 491), appropriating \$25,000 for the erection of a monument at Fredericksburg, Va., to Gen. Hugh Mercer.

MONUMENTS TO MEMORY OF BRIG. GEN. FRANCIS NASH AND WILLIAM LEE DAVIDSON

Joint resolution of January 30, 1903 (32 Stat. 1229), appropriating \$5,000 for the erection of a monument in honor of the memory of Brig. Gen. Francis Nash.

Joint resolution of January 30, 1903 (32 Stat. 1229), appropriating \$5,000 for the erection of a monument in honor of the memory of Brig. Gen. William Lee Davidson.

MONUMENT TO COMMODORE JOHN BARRY, WASHINGTON, D. C.

Act of June 8, 1906 (34 Stat. 223), appropriating \$50,000 for the erection of a statue to the memory of Commodore John Barry in Washington, D. C.

MONUMENT TO THE MEMORY OF JOHN PAUL JONES, WASHINGTON, D. C.

Act of June 8, 1906 (34 Stat. 224), appropriating \$50,000 for the erection of a statue, with suitable pedestal, of John Paul Jones.

## MONUMENT TO BRIG. GEN. JAMES SHIELDS, CARROLLTON, MO.

Act of March 15, 1910 (36 Stat. 1597), appropriating \$3,000 for the erection of a monument over the grave of Brig. Gen. James Shields in St. Mary's Cemetery at Carrollton, Mo.

## MONUMENT OVER GRAVE OF JOHN TYLER, RICHMOND, VA.

Act of March 4, 1911 (36 Stat. 1345), appropriating the sum of \$10,000 for the erection of a suitable monument over the grave of the late John Tyler, former President of the United States, in Hollywood Cemetery, Richmond, Va.

## JOINT MONUMENT TO GEN. JAMES SCREVEN AND GEN. DANIEL STEWART AT MIDWAY, LIBERTY COUNTY, GA.

Act of March 4, 1911 (36 Stat. 1352), appropriating \$10,000 for the erection of a joint monument in memory of the lives and public services of Gen. James Screven and Gen. Daniel Stewart.

## ANDREW JOHNSON NATIONAL CEMETERY, NEAR GREENEVILLE, TENN.

Andrew Johnson burial grounds, containing 15 acres, created national cemetery under act of Congress, approved June 12, 1906 (34 Stat. 259). The cost of care and maintenance of this cemetery averages from \$1,200 to \$1,500 annually.

## REVIEW OF THE LIFE OF ZACHARY TAYLOR

In this connection, "lest we forget," it might be well to briefly review the life of Zachary Taylor.

He was born in Orange County, Va., on September 24, 1784. He was of colonial and Revolutionary stock. His father was a Virginia colonel in the Revolutionary War. In one of his lines he was a descendant of Elder William Brewster, the intrepid spiritual leader of the *Mayflower*, Plymouth colony. The Taylor family removed from Virginia to Kentucky in 1785, and settled on a homestead or farm near Louisville, in what is now Jefferson County. He grew to manhood in Kentucky, and in 1808, at the age of 24, he was appointed a lieutenant of Infantry in the United States Army. From the beginning of his Army service he demonstrated his courage and aptitude for military affairs, and was successively promoted during his 40 years of service as a soldier of his country and reached the highest rank.

In 1810 he was promoted from his lieutenantancy to a captaincy. In 1812 he was given command of Fort Harrison, near the present city of Terre Haute, Ind., and here achieved distinction by defending, with a small number of American soldiers, the fort against a large force of Indians. For this service he was breveted major. He also served with success in the Black Hawk War of 1832, and in 1837 was given full command of the American forces in Florida, where, in the decisive battle of Okeechobee in the same year, he defeated the Indians and terminated the Seminole War, then raging. For this service he received the brevet rank of brigadier general.

In 1840 he was given command in the Southwest, and removed his home to Baton Rouge, La. In 1846, upon the outbreak of hostilities between the United States and Mexico, he was ordered to the Rio Grande. Thereupon, on two successive days, he fought and won the battles of Palo Alto and Resaca de la Palma, and cleared the lower valley of the Rio Grande. Next he marched to Nueve Leon and fought a series of battles ending, in the same year, with the capture of Monterey. Notwithstanding the fact that, under orders from his Government, he had sent his best troops to reinforce General Scott, who was invading Mexico by the way of Vera Cruz, he pursued Santa Ana and, with a much inferior force, defeated that Mexican commander at the Battle of Buena Vista on May 23, 1847. This important victory was followed by the Mexican campaign of General Scott, which ended with the capture of the City of Mexico on September 14, 1847. This capture virtually ended the war. Peace between the two countries was declared February 2, 1848. This war fully confirmed the annexation of Texas, and also brought into the United States that other vast domain now constituting California, Utah, and Nevada, and the greater portions of Colorado, New Mexico, and Arizona.

General Taylor's unflinching courage and his readiness to fight under any and all circumstances won for him in the Mexican War the nickname of "Old Rough and Ready." These qualities, together with his record of brilliant military service in that war, made him a popular hero among the American people. In 1848 he became the Whig candidate for the presidency and was triumphantly elected. He assumed office on March 4, 1849, and served until his death, which occurred on July 9, 1850. His death was universally mourned. He had given the best years of his life to the service of his country as a soldier, and had won place among the ablest soldiers of the Republic. His sturdy Americanism, his common sense, and his unwavering patriotism, together with his long and brilliant military career, earned for him not only the love and admiration of his countrymen of his own generation but of every succeeding generation. Yet thus far, and we must

admit the fact with shame, the National Government has shown itself to be singularly indifferent and neglectful of his memory. The purpose of the present bill is to atone in some small measure for that neglect by providing for the improvement and permanent care of the small burial plot which holds his sacred dust. The National Government has never erected a statue to his memory, but has erected statues and memorials to many soldiers and citizens of lesser worth.

Mr. Speaker and gentleman, I respectfully submit that the National Government should now discharge a duty long deferred. The passage of this bill will constitute a discharge of that duty and a long-belated recognition of the distinguished services of one of its bravest and most skillful soldiers, of one of its sturdiest and most patriotic citizens.

Mr. STEPHENS. I object to this bill on the ground that if our Government takes over one burial place of a former President of the United States it will be under obligation to take in every one of them. Where I live William Henry Harrison, a President of the United States, is buried. We had a bill pending in the House similar to this, in order to have the Government take charge of about 4 or 5 acres of land, and have it become a part of the Government property as a park, or whatever you might call it, and look after this monument or burial place.

Mr. BLANTON. Was the gentleman in favor of that bill?

Mr. STEPHENS. I was at the time.

Mr. BLANTON. Then the gentleman ought to be in favor of this one.

Mr. STEPHENS. At that time I thought it was the province of Congress to look after these burial places, but I found that it was not the opinion of Congress that it was its duty or that of the Federal Government, but the duty of the States.

Mr. BLANTON. But this is a different Congress.

Mr. STEPHEN. We took it to the Legislature of Ohio, and the State legislature appropriated \$10,000. We got the deed to the property and turned it over to the State of Ohio, and appropriated \$20,000 more. So the State of Ohio is taking care of the last resting place of William Henry Harrison. If they can do that in Ohio they can do that in every State in the Union.

Mr. BEGG. Unfortunately we have done this in other cases, and I would let this go by. I think we should take care of the last burial place of every President. I believe the Presidents belong to the whole people and not to any State, and for that reason I would let this go by and let in others. I think my colleague will feel better if he does not insist on his position.

Mr. STEPHENS. I agree with the gentleman, or did agree with him, and felt the same way when we had up for consideration a bill of the same character to take care of the remains of Gen. William Henry Harrison. But that was turned down, and I am standing upon the proposition that everyone ought to be turned down, and if I had been present when these others were passed I should have objected to them.

Mr. DENISON. Will the gentleman yield?

Mr. STEPHENS. Yes.

Mr. DENISON. Was that action taken by the House or was it taken on the objection of one individual Member?

Mr. STEPHENS. In the case of General Harrison, as I understand it, the bill was never reported out by the committee.

Mr. DENISON. Then I do not think the gentleman should take that as the action of the House.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That there is hereby authorized to be appropriated each year, out of any money in the Treasury not otherwise appropriated, not to exceed the sum of \$1,000, for the care, maintenance, and improvement of the burial grounds, comprising approximately 5 acres, containing the remains of Zachary Taylor, former President of the United States, and of the memorial shaft erected to his memory, located on the Brownsboro Road in Jefferson County, Ky.

The appropriation herein authorized shall be expended by and under the supervision of the Secretary of War.

With the following committee amendments:

Page 1, line 3, after the word "appropriated," strike out the words "each year."

Page 1, line 5, strike out the words "not to exceed"; also the figures "\$1,000," and insert in lieu thereof the figures "\$10,000."

Page 2, after line 4, insert:

"Sec. 2. That the Secretary of War be, and he is hereby, authorized to accept, free of cost to the United States Government, from the State of Kentucky and from any others having authority to convey same, the

land comprising the aforesaid burial grounds; and upon the presentation of good and perfect title to said land the Secretary of War is authorized and directed to establish thereon a national cemetery."

The SPEAKER pro tempore. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER pro tempore. Without objection the title will be amended.

There was no objection.

On motion of Mr. THATCHER, a motion to reconsider the vote whereby the bill was passed was laid on the table.

#### FLOOD WATERS OF THE MISSISSIPPI RIVER

The next business on the Consent Calendar was the bill (H. R. 12004) authorizing an investigation, examination, and survey for the control of excess flood waters of the Mississippi River below Red River Landing in Louisiana and on the Atchafalaya outlet by the construction and maintenance of controlled and regulated spillway or spillways, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BEGG. Mr. Speaker, reserving the right to object, will the gentleman from Louisiana read the amendments he is going to offer?

Mr. WILSON of Louisiana. The first amendment I shall offer will be one to strike out the words "an investigation, examination, and," and insert the word "survey," because the Chief of Engineers says he has the data and that we can limit it to a survey. The next amendment is to make the authorized appropriation—

Mr. BEGG. Let me ask the gentleman a question. Suppose we should strike out section 2 entirely, the bill would not be damaged, would it? If we authorized a survey, there would be no damage done?

Mr. WILSON of Louisiana. I am going to do this on the suggestion of the Chief of Engineers, write section 2 so as to authorize the Secretary of War to use that much of the money already appropriated and allotted to those projects in Louisiana, so that it will not make any draft on the Treasury.

Mr. BEGG. Would not the Chief of Engineers have that authority if we should strike out section 2?

Mr. WILSON of Louisiana. There is some doubt about that, and even with the new section I intend to propose there will be no additional appropriation required.

Mr. BEGG. Then the gentleman will have to change the wording of section 2?

Mr. WILSON of Louisiana. Yes; I propose to offer a new section 2, to authorize the Secretary of War to use these funds from appropriations already made and allotted to projects in Louisiana.

Mr. BEGG. The gentleman, of course, will get his colleagues to put that amendment in?

Mr. WILSON of Louisiana. Yes; I have it ready.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of War be, and he is hereby, authorized and directed to cause an investigation, examination, and survey to be made, and estimates of the costs of such controlled and regulated spillway or spillways as may be necessary for the diversion and control of a sufficient volume of the excess flood waters of the Mississippi River between Red River Landing and Fort Jackson in Louisiana, in order to prevent the waters of said river exceeding stages of approximately 16, 17, 18, 19, and 20 feet on the Carrollton gauge at New Orleans, and of approximately 46, 47, and 48 feet on the gauge at Simmesport on the Atchafalaya outlet.

Sec. 2. The sum of \$25,000, or so much thereof as may be necessary, be, and the same is hereby, authorized to be appropriated to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers to carry out the objects and purposes of this act.

Mr. WILSON of Louisiana. Mr. Speaker, I offer three amendments.

The SPEAKER pro tempore. The gentleman from Louisiana offers amendments which the Clerk will report.

The Clerk read as follows:

Amendments offered by Mr. WILSON of Louisiana: Page 1, line 4, after the word "cause" strike out the words "an investigation, examination, and," and insert "a."

Page 2, line 7, strike out all of section 2 and insert in lieu thereof: "Sec. 2. The Secretary of War is authorized to use \$25,000, or so much thereof as may be necessary, from funds heretofore appropriated for flood control, Mississippi River, and allotted to projects in the State of Louisiana, to be expended under the supervision of the Chief of Engineers, to carry out the objects and purposes of this act."

Amend the title of the bill to read as follows: "Authorizing a survey for the control of excess flood waters of the Mississippi River below Red River Landing in Louisiana and on the Atchafalaya outlet by the construction and maintenance of controlled and regulated spillway or spillways, and for other purposes."

The SPEAKER pro tempore. The question is on agreeing to the amendments offered by the gentleman from Louisiana. The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed.

On motion of Mr. WILSON of Louisiana, a motion to reconsider the vote whereby the bill was passed was laid on the table.

#### COINAGE OF 50-CENT PIECES FOR ANNIVERSARY OF BATTLE OF BENNINGTON

Mr. JOHNSON of Washington. Mr. Speaker, inasmuch as the House a few minutes ago added Vancouver, Wash., to the amendment offered by the gentleman from California [Mr. RAKER], providing for the coinage of 50-cent pieces in commemoration of the admission of the State of California into the Union, which amendment was to S. 3895, the Bennington coinage bill, I ask unanimous consent to return to that bill and reconsider it, for the purpose of changing the amendment adopted, so it will read in the same form as the one applying to the coins for California. The amendment proposes to apply also to coins for the celebration of the one hundredth anniversary of the settlement of Vancouver. I ask unanimous consent also to change section 2 in the original bill to section 4 as follows—

The SPEAKER pro tempore. A motion has been made to reconsider the vote by which the bill was passed, and that motion was laid on the table, and I do not think the request of the gentleman from Washington is in order.

Mr. BEGG. Mr. Speaker, the gentleman can present a unanimous-consent request to vacate the proceedings.

The SPEAKER pro tempore. The gentleman from Washington asks unanimous consent to vacate the proceedings whereby the motion to reconsider the bill S. 3895 was laid on the table.

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, for what purpose?

Mr. JOHNSON of Washington. The point is that, believing a point of order would be made against the first amendment to the Bennington bill, I did not stand by with an amendment in form for coins for the Vancouver centennial.

Mr. GARRETT of Tennessee. The gentleman has one amendment in; does the gentleman want another?

Mr. JOHNSON of Washington. Yes; that is just the point. In getting that first amendment in I attached the words "Vancouver, Wash.," to the California amendment, so it does not convey the meaning it is intended to mean.

Mr. BLANTON. You can get that fixed in conference.

Mr. JOHNSON of Washington. It will save labor to make the amendment satisfactory and in correct order now. I simply provide for another identical paragraph, except the event and the place.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. Reserving the right to object, Mr. Speaker, the gentleman from California [Mr. RAKER] made a motion to reconsider and lay on the table, and he is not here.

Mr. JOHNSON of Washington. I am asking unanimous consent now to vacate that action.

Mr. BEGG. The gentleman from California [Mr. RAKER] is here now.

Mr. RAKER. Does the gentleman want to strike out my provision?

Mr. GARRETT of Tennessee. I understand the gentleman wants to disserve Vancouver from California.

Mr. JOHNSON of Washington. In addition to my desire, the bill is further not in good form because the Raker amendment is section 2, and, in addition to that, the original bill has a section 2, which was not changed when the amendment was adopted.

Mr. RAKER. That does not make any difference. The Clerk can correct that.

Mr. JOHNSON of Washington. That could be corrected in the Senate, but we can correct it here now.

Mr. RAKER. Let it go to conference.

Mr. JOHNSON of Washington. It will only take a minute to add a paragraph following the Raker amendment.

Mr. RAKER. I am willing. I have no objection.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is, Shall the vote by which the bill S. 3895 was passed be reconsidered?

The motion was agreed to.

The SPEAKER pro tempore. Without objection, the third reading will be vacated and the bill will be open for amendment.

There was no objection.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to withdraw the Vancouver amendment which was adopted and in lieu thereof I offer an amendment which I send to the Clerk's desk.

The SPEAKER pro tempore. The gentleman from Washington asks unanimous consent that the vote by which his amendment was agreed to be reconsidered and offers an amendment which he sends to the Clerk's desk in lieu thereof. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendment of the gentleman from Washington:

The Clerk read as follows:

Add on page 2:

"Sec. 3. That in commemoration of the one hundredth anniversary of the founding of Fort Vancouver by the Hudson Bay Co., State of Washington, there shall be coined at the mints of the United States silver 50-cent pieces to the number of not more than 300,000, such 50-cent pieces to be of the standard troy weight, composition, diameter, device, and design as shall be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, which said 50-cent pieces shall be legal tender in any payment to the amount of their face value.

"That the coin herein authorized shall be issued only upon the request of the executive committee of the Fort Vancouver Centennial Corporation, of Vancouver, Wash., and upon payment by such executive committee for and on behalf of the Fort Vancouver Centennial Corporation of the par value of such coins, and it shall be permissible for the said Fort Vancouver Centennial Corporation to obtain said coins upon said payment, all at one time or at separate times, and in separate amounts, as it may determine."

Mr. VESTAL. Mr. Speaker, I move the previous question on the amendment.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Washington.

The amendment was agreed to.

Mr. VESTAL. Mr. Speaker, I move to recommit the bill to the Committee on Coinage, Weights, and Measures, and on that motion I move the previous question.

The question was taken; and on a division (demanded by Mr. RAKER) there were—ayes 31, noes none.

So the previous question was ordered.

The SPEAKER pro tempore. The question is on the motion to recommit.

Mr. RAKER. Mr. Speaker, is it in order to move to lay that on the table?

The SPEAKER pro tempore. It is not. There is a motion to recommit, and the previous question has been ordered.

The question was taken; and on a division (demanded by Mr. VESTAL) there were—ayes 24, noes 67.

Mr. VESTAL. Mr. Speaker, I object to the vote—

Mr. GARRETT of Tennessee. Will the gentleman withhold that a moment?

Mr. VESTAL. I am objecting to the vote.

Mr. BLANTON. And making a point of no quorum.

Mr. GARRETT of Tennessee. The gentleman will lose no rights. The gentleman could have protected his bill by making a point of order and he did not do it.

Mr. VESTAL. I should have done that, it is true.

Mr. GARRETT of Tennessee. This sharp practice is not going to accomplish anything.

Mr. VESTAL. There is not any sharp practice about this. I will withdraw the point.

Mr. BLANTON. I object.

The SPEAKER pro tempore. The gentleman from Indiana objected to the vote by which the motion to recommit was lost and made the point—

Mr. VESTAL. No; I withdraw that.

Mr. BLANTON. But I am making the point of no quorum, Mr. Speaker, and objecting to the vote.

The SPEAKER pro tempore. The gentleman can not object to the vote because the vote has been taken and announced and discussion has intervened. If the gentleman desires to make a point of no quorum, he can do so. The Chair will count.

Mr. BLANTON. I made my objection to the vote at the same time the gentleman made his and I have been on my feet all the time.

Mr. BEGG. Mr. Speaker I hope the gentleman from Texas will not insist on his point.

Mr. BLANTON. I want the Chair to give me a ruling as to whether or not I have a right to object to the vote when I am on my feet.

The SPEAKER pro tempore. The gentleman first objected to the vote on the ground that there was no quorum present after the gentleman from Indiana had made the point and after it had been discussed by the gentleman from Tennessee.

Mr. BLANTON. The other gentleman had made it too.

The SPEAKER pro tempore. The Chair is addressing the House.

Mr. BLANTON. And the gentleman is addressing the Chair.

The SPEAKER pro tempore. The Chair is addressing the House and the gentleman will take his seat.

Mr. BLANTON. I was addressing the Chair on a point of order.

The SPEAKER pro tempore. If the discussion which took place between the gentleman from Indiana and the gentleman from Tennessee took place under the reservation of the point of order made by the gentleman from Indiana, the point of order may be renewed by the gentleman from Texas, otherwise not. The Chair will ask the gentleman from Indiana if he was holding the point of order in reservation?

Mr. VESTAL. I made the point of order and then I withdrew it.

Mr. BLANTON. And I renewed it. When the Chair wants to bullyrag somebody I am not going to be bullyragged by the Chair.

The SPEAKER pro tempore. The gentleman has the point of order pending.

Mr. GARRETT of Tennessee. Mr. Speaker, I did request the gentleman from Indiana to withhold his demand stating that no rights would be lost, and I would regret extremely if that should be regarded as discussion so as to prevent the point of order by the gentleman from Texas. I hope the gentleman from Texas will not make the point of order.

The SPEAKER pro tempore. The Chair will state to the House the parliamentary situation. If the gentleman from Indiana, previous to the discussion, withdrew his point of order, then the point of order made by the gentleman from Texas comes too late. If the gentleman from Tennessee was discussing the situation under the reservation of the point of order it is entirely within the province of the gentleman from Texas to renew it. The Chair understands that the gentleman from Texas claims that the point of order was under reservation and that he renewed it when withdrawn?

Mr. BLANTON. Since the Chair has withdrawn his bullyragging I withdraw the point of order.

The SPEAKER pro tempore. The question is on the third reading of the bill.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent that section 2 be made section 4.

The SPEAKER pro tempore. Without objection that will be done.

There was no objection.

The bill was ordered to be read the third time, was read the third time, and passed.

On motion of Mr. RAKER, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGES ACROSS THE MISSISSIPPI AND OHIO RIVERS NEAR CAIRO, ILL.

The next business on the Consent Calendar was the bill (H. R. 11668) granting consent of Congress to the States of Missouri, Illinois, and Kentucky to construct, maintain, and operate bridges over the Mississippi and Ohio Rivers at or near Cairo, Ill., and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the consent of Congress is hereby granted to the States of Missouri, Illinois, and Kentucky to construct, maintain, and operate bridges and approaches thereto across the Mississippi and Ohio Rivers at or near Cairo, Ill., as a link in existing or projected interstate highways built under and part of the Federal-aid highway systems of these States.

The following committee amendments were read:

Line 5, page 1, after the word "operate," insert the word "two."

Line 5, page 1, after the word "thereto," insert a comma and the following: "one of said bridges to cross the Mississippi River and the other of said bridges to cross the Ohio River"; strike out the last two words in the line.

Line 6, page 1, strike out the first four words in the line and insert in lieu thereof the following: "at points suitable to the interests of navigation."

Line 8, page 1, change the period at the end of the line to a comma and add the following: "and in accordance with the provisions of an act entitled 'An act to regulate the construction of bridges over navigable waters,' approved March 23, 1906."

Add another section to the bill, reading as follows:

"SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

#### CALL OF THE HOUSE

Mr. LINEBERGER. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The gentleman from California makes the point of order that there is no quorum present. Obviously there is no quorum present.

Mr. BEGG. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

Accordingly the doors were closed, the Sergeant at Arms ordered to bring in absentees, the Clerk called the roll, and the following Members failed to answer to their names:

#### [Roll No. 70]

Bacharach	Evans, Iowa	McNulty	Rogers, Mass.
Bankhead	Fairchild	Mapes	Rogers, N. H.
Barkley	Faust	Miller, Ill.	Rosenbloom
Berger	Fenn	Miller, Wash.	Rouse
Bixler	Fish	Mills	Rubey
Bloom	Fitzgerald	Montague	Sabath
Boylan	Fredericks	Moore, Ill.	Sanders, Ind.
Brand, Ohio	Fulbright	Morin	Schall
Britten	Funk	Nelson, Wis.	Schneider
Browning	Garber	Nolan	Seeger
Buckley	Griffin	O'Brien	Shallenberger
Byrnes, S. C.	Holaday	O'Connell, N. Y.	Sullivan
Carew	Hudson	O'Connor, La.	Tague
Casey	Hull, William E.	O'Connor, N. Y.	Taylor, Colo.
Celler	Johnson, W. Va.	O'Sullivan	Tincher
Clark, Fla.	Jones	Paige	Underhill
Cole, Ohio	Kendall	Parker	Upshaw
Collins	Kent	Perkins	Vare
Connerly	Kerr	Perlman	Voigt
Corning	Kindred	Phillips	Ward, N. Y.
Croll	Kunz	Porter	Ward, N. C.
Cullen	Lampert	Pou	Weller
Cummings	Langley	Prall	Wilson, Miss.
Curry	Larson, Minn.	Parnell	Wolf
Deal	Lee, Ga.	Quayle	Woodruff
Dominick	Lilly	Rainey	Wurzbach
Doyle	Lindsay	Ransley	Yates
Drewry	Logan	Reed, W. Va.	Zihlman
Dyer	Longworth	Richards	
Edmonds	Lyon	Roach	

The SPEAKER pro tempore. On this call 312 Members have answered to their names, a quorum.

Mr. BEGG. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

#### RETIREMENT OF CERTAIN EX-SERVICE OFFICERS

The next business on the Consent Calendar was the bill (H. R. 6484) making eligible for retirement under certain conditions, officers and former officers of the World War, other than officers of the Regular Army, who incurred physical disability in line of duty while in the service of the United States during the World War.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. JAMES, Mr. McKENZIE, and Mr. BLANTON objected.

The SPEAKER pro tempore. Three gentlemen having objected, the bill is stricken from the calendar.

#### OIL POLLUTION OF NAVIGABLE RIVERS

The next business on the Consent Calendar was the bill (H. R. 9199) to prevent the pollution by oil of navigable rivers of the United States.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read as follows:

*Be it enacted, etc., That when used in this act—*

(a) The term "oil" means oil of any kind or in any form, including emulsion, waste, bottom settlings, and salt water;

(b) The term "United States" means the several States, Territories, and possessions, the District of Columbia, and the Canal Zone;

(c) The term "person" means an individual, partnership, corporation, or association;

(d) The term "navigable river" means any river or stream within the United States navigable in its natural or improved condition, and includes any nonnavigable river or stream flowing into, and any other tributary of, any such navigable river; and

(e) The term "Secretary" means the Secretary of War.

SEC. 2. The Secretary is hereby authorized and directed to prescribe regulations to prevent the pollution by oil of any navigable river within the United States by any person discharging or draining oil, or permitting oil to be discharged, or to flow or drain from any oil well, terminal, refinery, tank, or place of storage into a navigable river.

SEC. 3. Any person who violates any of the regulations prescribed by the Secretary under this act shall, upon conviction thereof, be punished by a fine of not less than \$50 nor more than \$2,500, or imprisonment for not more than one year, except that no person shall be punished for any such violation occurring within three months after the promulgation of the regulations authorized by this act. Each day during any part of which a violation occurs shall be deemed a separate offense.

SEC. 4. The Secretary shall make such inspections as may be necessary in order to detect or prevent violations of the regulations prescribed under this act, and shall report to the proper district attorney of the United States any such violation or threatened violation. It shall be the duty of such district attorney to take such steps as may be necessary to prevent or to enforce the penalties for such violation.

Mr. HOWARD of Oklahoma (when the Clerk had read to section 2). Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. HOWARD of Oklahoma: Page 2, line 4, after the word "into," strike out "and any other tributary of."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

Mr. HOWARD of Oklahoma. Mr. Speaker, I want to call the attention of the House to this amendment for a moment. I realize that there is some necessity perhaps for this regulation, owing to the fact that the States do not cooperate, but the bill as written is certainly too strong. It defines "navigable river" by saying that it means any river or stream within the United States navigable in its natural or improved condition, and includes any nonnavigable river or stream flowing into, and any other tributary of any such navigable river. Unless my amendment be adopted, it means that away out in the arid West we may start to drill an oil well on a little creek whose water might be claimed to sometime reach a navigable river but which, as a matter of fact, never would do so, with the result that if this bill is passed as agreed it would be necessary for the man on the plains, if there happened to be a little creek alongside of the work that he was starting, to take the matter up with the Secretary of War and comply with all his regulations, and if he did not do so he would be subject to punishment for contempt of the laws of the United States and subject also to embarrassment that might arise in any subsequent legal proceedings in respect to his development work.

Mr. McKEOWN. Mr. Speaker, will the gentleman yield?

Mr. HOWARD of Oklahoma. Yes.

Mr. McKEOWN. Does not the gentleman think that the oil companies ought not to pollute the smallest streams as well as the other streams, that they ought to keep this oil out of them as well?

Mr. HOWARD of Oklahoma. I think that, and they do it; but there are occasions when a big well is brought in where temporarily it is impossible to control it, but what I am objecting to is that, as a matter of fact, pollution from these streams could never reach a navigable stream, and yet under this definition we will be responsible, and it would create a great expense and nothing would be gained. I hope for the purpose of passing this bill and protecting navigable streams and unnavigable streams directly emptying into navigable streams that the House will agree to the amendment which I have proposed.

Mr. STENGLE. Mr. Speaker, will the gentleman yield?

Mr. HOWARD of Oklahoma. Yes.

Mr. STENGLE. If we adopt this amendment and give them permission to pollute the tributaries, how does the gentleman propose to protect the stream below from that?

Mr. HOWARD of Oklahoma. Oh, we do not give them permission, and besides that, a stream a thousand miles from a navigable stream, as is the case in my country, would never reach the navigable stream.

Mr. STENGLE. Then why worry about the amendment?

Mr. HOWARD of Oklahoma. For the reason that if this definition is allowed to stand as it is, every time we come to drill a well in the State of Oklahoma we will have to take up the matter with the Secretary of War and comply with the requirements that have no bearing upon the matter at all.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Oklahoma.

The question was taken; and on a division (demanded by Mr. STENGLE) there were—ayes 28, noes 19.

The Clerk concluded the reading of the bill.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

#### OVERPAYMENT IN THE MILITARY SERVICE

The next business on the Consent Calendar was the bill (H. R. 11923) to relieve persons in the military service of the United States during the war emergency period from claims for overpayment at that time not involving fraud.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LINEBERGER. Mr. Speaker, I object.

Mr. ANDREW. Mr. Speaker, will the gentleman withhold his objection for a moment?

Mr. LINEBERGER. I shall withhold the objection, but eventually I shall object.

Mr. McSWAIN. Is the gentleman well fixed in his determination about the point of no quorum.

Mr. LINEBERGER. I am.

Mr. McSWAIN. This is for the benefit of the emergency officers and enlisted men as well.

Mr. LINEBERGER. Mr. Speaker, until important legislation affecting officers and ex-officers of the Army is enacted on the floor of this House, or at least until an opportunity is given to the membership of the House to express their views, I shall object.

Mr. BEGG. Mr. Speaker, will the gentleman yield?

Mr. LINEBERGER. Yes.

Mr. BEGG. The gentleman, I am sure, does not want to do what he is going to do by objection. They overpaid some soldiers, and, of course, that money was spent. Some of them are wounded and are dependent absolutely upon the compensation they are receiving from the Government at the present time.

Mr. BLANTON. Mr. Speaker, I ask for the regular order.

Mr. BEGG. If this refund is not allowed—

The SPEAKER. The regular order is demanded.

Mr. BEGG. Give me a half minute.

The SPEAKER. Is there objection?

Mr. LINEBERGER. I object.

#### EXTENSION OF TIME, GOVERNMENT LANDS, HAWAII

The next business on the Consent Calendar was the bill (H. R. 11410) to extend the time for the exchange of Government lands for privately owned lands in the Territory of Hawaii.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

*Be it enacted, etc.,* That the time for the exchange by the President of Government-owned land in the Territory of Hawaii for privately owned land or land owned by the Territory of Hawaii, as authorized by act of Congress approved January 31, 1922, is hereby extended until January 31, 1926.

Mr. RAKER. Mr. Speaker, I move to strike out the last word. May I ask the gentleman in charge of the bill [Mr. WAINWRIGHT] a question? This law has expired. You extend it here. I would like to call the gentleman's attention to the language of the bill, line 6, where if you add the words "and the provisions of said act are hereby extended" it will cure any possible defects in what the gentleman is trying to do.

Mr. WAINWRIGHT. I have not a copy of the bill here.

Mr. RAKER. Let a page get a copy.

Mr. WAINWRIGHT. I am trying to get it now.

Mr. RAKER. This law has expired, and this only extends the time, and I suggest that if you put the provision in here "and the provisions of said act are hereby extended" you will get the same relief which you desire.

Mr. WAINWRIGHT. I will accept the amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Line 6, after the word "twenty-two," insert "and the provisions of said act are hereby extended" and strike out the words "is hereby extended" in line 7.

Mr. WAINWRIGHT. I believe the proposed amendment will strengthen the act, and I accept it.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

#### CONVEYING LAND IN SAN JUAN, P. R., TO FEDERAL LAND BANK OF BALTIMORE

The next business on the Consent Calendar was the bill (H. R. 10535) authorizing the Secretary of War to convey to the Federal Land Bank, of Baltimore, Md., the tract of land situated in the city of San Juan, island of Porto Rico.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill. [After a pause.] The Chair hears none.

Mr. HILL of Maryland. Mr. Speaker, I ask unanimous consent to substitute the bill S. 3630, an identical bill, for the House bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the Senate bill.

The Clerk read as follows:

An act (S. 3630) authorizing the Secretary of War to convey to the Federal Land Bank of Baltimore certain land in the city of San Juan, P. R.

*Be it enacted, etc.,* That the Secretary of War be, and he is hereby, authorized to convey by appropriate quitclaim deed to the Federal Land Bank of Baltimore, of Baltimore, Md., for the sum of \$6,000, which is hereby made available for the construction of a double set of noncommissioned officers' quarters on the main reservation of San Juan, P. R., which will replace the double set of noncommissioned officers' quarters on the land to be conveyed, the tract of land situated in the city of San Juan, in the island of Porto Rico, and described as follows:

Being the easterly part of La Palma Bastion Military Reservation, San Juan, P. R., located and described as follows: Beginning at the northwesterly corner of this parcel located at the southerly side of Tetuan Street, in line with the north wall of a masonry building on this parcel and distance 5.61 meters from the northwest corner of same building; thence bounding with La Palma Bastion bearing south 12° 49' east, a distance of 20.74 meters to the city wall; thence along the inside of this wall north 83° 38' east, a distance of 24.04 meters; thence north 5° 26' west, a distance of ninety-four one-hundredths meters; thence north 83° 38' east, a distance of 5.91 meters; thence north 12° 24' east, a distance of 10.06 meters to the Recinto Sur Street; thence along the westerly side of the Recinto Sur Street north 25° one one-hundredths minute west, a distance of 11.81 meters; thence along a curve radius about 10 feet to its intersection with Tetuan Street, bounding with a small parcel conveyed to the people of Porto Rico; thence along the south line of Tetuan Street south 77° 11' west, a distance of 28.10 meters to the point of beginning. The above-described parcel contains an area of 719.68 square meters.

The bill was ordered to be read the third time, was read the third time, and passed.

A similar House bill was ordered to lie upon the table.

Mr. HILL of Maryland. Mr. Speaker and gentlemen of the House, on December 9, 1924, I introduced H. R. 10535, and on January 20, 1925, by direction of the Committee on Military Affairs, I reported this bill favorably. Thereafter my bill with the committee amendments passed the Senate (S. 3630). A few minutes ago the House passed the Senate bill which the House Military Affairs Committee also directed me to report favorably.

When our former colleague in the House, Governor Towner, of Porto Rico, was in Washington he expressed especial interest in this matter, and I am glad that it has now passed both the House and the Senate.

I think that the following two letters will be of interest to the House in connection with the bill:

TREASURY DEPARTMENT,  
Washington, January 13, 1925.

Hon. JOHN C. MCKENZIE,  
Chairman Military Affairs Committee,  
House of Representatives.

SIR: In considering H. R. 10535, introduced by Congressman Hill and providing for the Secretary of War to make a deed to the Federal Land Bank of Baltimore of a certain lot in the city of San Juan, P. R., for the purpose of erecting thereon a building suitable for the branch bank doing business in Porto Rico, I wish to call your attention to several phases of this subject, so that you and the Military Affairs Committee may fully understand the situation.

Congress amended the farm loan act so as to extend the provisions of this act to the island of Porto Rico, the amendment providing that the Farm Loan Board should designate one of the Federal land banks to undertake this work in Porto Rico. Pursuant to that mandate from Congress, the board directed the Federal Land Bank of Baltimore to establish this branch in Porto Rico.

The Federal Land Bank of Baltimore, or any other of the Federal lands banks, would never have gone to Porto Rico as a business proposition had it not been for the action of Congress directing that this be done. From a business point of view, no bank would have undertaken it, because it meant undertaking work which for several years at least would be done at a loss. This has proven to be the case and the Federal Land Bank of Baltimore the past three years has been operating this branch in Porto Rico without profit.

I trust you and the committee will remember this in considering the bill and that the Federal Government, in our opinion, should make this work as easy as possible by cooperating with this board and the Federal Land Bank of Baltimore in providing suitable quarters in which to conduct the business of the branch bank.

In the beginning the insular government agreed to furnish offices, and did so by providing two small rooms in one of the government buildings. In those rooms were no suitable vaults for caring for the mortgages and other papers which must necessarily be protected from fire. A small brick vault was made in one corner of one of these small rooms. The business of the branch bank has grown to approximately \$5,000,000 in loans in Porto Rico, and the rooms provided by the insular government are entirely inadequate as a working space for the employees and no suitable protection from fire is provided, and it is absolutely necessary for something to be done, and that at once, to properly house this branch bank.

For more than a year efforts have been made to have the insular government provide better quarters. They say they are unable to do so, and really need the rooms now occupied by the branch bank, and there seems to be only two courses for the bank to take—one to rent rooms for their purposes and the other to construct a building of their own. In San Juan it is not easy to rent suitable rooms which would provide vault space for the safe storing of their notes and mortgages and other papers, and even if it were possible to rent such quarters such rental would be in excess of the charges represented as interest on the kind of a building which they would be able to construct on this piece of ground in question. As you perhaps know, such locations in the city of San Juan are difficult to find, and in view of the fact that the farm loan system is an agency of the Federal Government, established by the Government to provide credit for the farmers of our Nation, we feel that we should have the cooperation of any other branch of the Federal Government in carrying on the work which Congress has imposed by legislation.

In this connection I wish to say that the operations of this branch bank and the service it has so gratuitously rendered the people of Porto Rico is one of the outstanding agencies of the Federal Government to have brought about a better understanding and feeling of the people of Porto Rico and the United States Government, and the whole work of this branch has been one of service and not profit. This has been the view taken by this board, the Federal Land Bank of Baltimore, and the officers of the branch in Porto Rico, the insular government of Porto Rico, the governor general of the island, H. M. Towner, the Secretary of War, and everyone else familiar with the situation.

Unless this bill passes Congress this session the people in charge of the branch in Porto Rico will be most seriously handicapped in their operation and the valuable records in danger of loss and destruction by fire, as they are inadequately protected at present. All efforts for the past year in trying to provide for better working quarters in San Juan have failed, and this is the best arrangement which our manager, Mr. Thomas, and the authorities in Porto Rico have been able to work out.

I trust that you will very promptly give this bill your serious consideration and report the same favorably to the House, so that it may certainly pass before the expiration of this Congress.

Very truly yours,

E. E. JONES,  
Member Farm Loan Board.

JANUARY 12, 1925.

Hon. JOHN C. MCKENZIE,

Acting Chairman Committee on Military Affairs,  
House of Representatives.

MY DEAR MR. MCKENZIE: Reference is made to the letter from the chairman Committee on Military Affairs, House of Representatives, dated December 13, 1924, requesting a report on H. R. 10535, a bill to authorize the Secretary of War to convey by quitclaim deed to the Federal Land Bank of Baltimore, Baltimore, Md., upon such terms as he may consider advisable, the tract of land situated in the city of San Juan, in the island of Porto Rico, on Tetuan Street, upon which is now located a small brick and mortar building known as Army Building No. 108.

I am pleased to inform you that in view of the promise that funds will be secured by the Federal Land Bank of Baltimore with which to construct a double set of noncommissioned officers' quarters on the main reservation at San Juan in exchange for the property referred to, the War Department will interpose no objection to the passage of the bill, provided the bill is amended so that the War Department will be authorized to accept and use the funds turned over to it by the Federal Land Bank of Baltimore for the construction of the set of noncommissioned officers' quarters referred to. In this connection it is suggested that the bill be amended so as to strike out the words "upon such terms as he may consider advisable" in lines 5 and 6, page 1, and insert instead the words "for the sum of \$6,000, which is hereby made available for the construction of a double set of noncommissioned officers' quarters on the main reservation of San Juan, P. R., which will replace the double set of noncommissioned officers' quarters on the land to be conveyed."

The true metes and bounds of this tract of land should also be set out in the bill. For this purpose it is suggested that the bill be further amended so as to strike out lines 9 and 10 on page 1, and all of the balance of said bill on page 2, and insert instead the following:

"Being the easterly part of La Palma Bastion Military Reservation, San Juan, P. R., located and described as follows: Beginning at the northwesterly corner of this parcel located at the southerly side of Tetuan Street, in line with the north wall of a masonry building on this parcel and distance of 5.61 meters from the northwest corner of same building; thence bounding with La Palma Bastion bearing south 12 degrees 49 minutes east a distance of 20.74 meters to the city wall; thence along the inside of this wall north 83 degrees 38 minutes east, a distance of 24.04 meters; thence north 5 degrees 26 minutes west, a distance of 0.94 meter; thence north 83 degrees 38 minutes east, a distance of 5.91 meters; thence north 12 degrees 24 minutes east, a distance of 10.06 meters to the Recinto Sur Street; thence along the westerly side of the Recinto Sur Street north 25 degrees 0.1 minute west, a distance of 11.80 meters; thence along a curve radius about 10 feet to its intersection with Tetuan Street, bounding with a small parcel conveyed to the people of Porto Rico; thence along the south line of Tetuan Street south 77 degrees 28.10 minutes to the point of beginning. The above-described parcel contains an area of 719.68 square meters."

Sincerely yours,

JOHN W. WEEKS,  
Secretary of War.

#### INCORPORATING AMERICAN WAR MOTHERS

The next business on the Consent Calendar was the bill (H. R. 9095) to incorporate the American War Mothers.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

*Be it enacted, etc.,* That the following-named persons, namely: Alice M. French, founder, Indianapolis, Ind.; Mable C. Digney, State War Mother, White Plains, N. Y.; Mrs. George Gordon Seibold, Washington, D. C.; Mary I. Huntington, State War Mother, Bloomington, Ind.; Edna C. Wilson, State War Mother, Warrensburg, Mo.; Libbie Thomas, State War Mother, Racine, Wis.; Virginia Heasen, State War Mother, Frankfort, Ky.; A. Shanahan, State War Mother, Jersey City, N. J.; Blanche A. Bellak, State War Mother, Philadelphia, Pa.; Lydia Burby, State War Mother, Butte, Mont.; Estelle T. Wilcox, State War Mother, Omaha, Nebr.; Emile Hendricks, State War Mother, Salem, Ore.; Grace R. Montgomery, State War Mother, Charlotte, N. C.; Kate C. DeKay, State War Mother, Blackfoot, Idaho; Elizabeth Allen, State War Mother, Loveland, Colo.; Ida McCullough, State War Mother, Ottawa, Ill.; Rose S. Sargent, State War Mother, San Francisco, Calif.; Jessie Monahan, State War Mother, Edmond, Okla.; Margaret N. McCluer, Kansas City, Mo.; Carrie R. Root, Gardner, Ill.; Mary E. Spence, Milwaukee, Wis.; Alice Bronson Oldham, Lexington, Ky.; Florence A. Latham, Kansas City, Mo.; Mahala M. Boyd, New Castle, Ind.; Carrie White Avery, Washington, D. C.; H. C. Morrison, Shelbyville, Ind.; Jeanette Boone, Kansas City, Mo.; Gertrude R. Cary, Joliet, Ill.; Mrs. R. E. Little, Wadesboro, N. C.; Mrs. Isabelle Clements, Sacramento, Calif.; Mrs. Alice E. Evans, Pueblo, Colo.; Mrs. Mary Dawson, Idaho Falls, Idaho; Mrs. Jessie T. Lesh, Chicago, Ill.; Mrs. Harry C. Morrison, Shelbyville, Ind.; Mrs. Jessie E. Moody, Carterville, Mo.; Mrs. J. L. Roddy, North Platte, Nebr.; Mrs. Catherine H. Connelly, Newark, N. J.; Mrs. Ella O'Gorman Stanton, Bronx, New York City, N. Y.; Mrs. R. C. Warren, Gastonia, N. C.; Mrs. Hattie V. Selkin, Oklahoma City, Okla.; Mrs. Ida Boxwell, Middletown, Ohio; Mrs. Charles S. Fohl, Harrisburg, Pa.; Mrs. E. L. Phillip, Milwaukee, Wis.; Mrs. Julia A. Wilkinson, Portland, Me.; and their associates and successors duly chosen are hereby incorporated and declared to be a body corporate of the District of Columbia by the name of American War Mothers, and by such name shall be known and have perpetual succession with the powers, limitations, and restrictions herein contained.

SEC. 2. That the persons named in section 1 hereof and such other persons as may be selected from among the membership of American War Mothers, an association of women whose sons and daughters served the allied cause in the great World War between the dates of April 6, 1917, and November 11, 1918, are hereby authorized to meet to complete the organization of said corporation by the selection of officers, the adoption of a constitution and by-laws, and to do all other things necessary to carry into effect the provisions of this act, at which meeting any person duly accredited as a delegate from any local or State organization of the existing organization known as American War Mothers shall be permitted to participate in the proceedings thereof.

SEC. 3. That the object of the corporation shall be to keep alive and develop the spirit that prompted world service; to maintain the ties of fellowship born of that service and to assist and further any patriotic work; to inculcate a sense of individual obligation to the community, State, and Nation; to work for the welfare of the Army and Navy; to assist in any way in their power men and women who served and were wounded or incapacitated in the World War; to foster and promote friendship and understanding between America and the Allies in the World War.

SEC. 4. That said corporation shall hold its meetings in such place as the incorporators or their successors shall determine.

SEC. 5. That the corporation created by this act shall have the following powers: To have succession until the membership as hereinafter provided for shall become extinct, with power to sue and be sued in courts of law and equity; to receive, hold, own, use, and dispose of such real estate and personal property as shall be necessary for its corporate purposes; to adopt a corporate seal and alter the same at pleasure; to adopt a constitution, by-laws, and regulations to carry out its purposes, not inconsistent with the laws of the United States or of any State; to use in carrying out the purposes of the corporation such emblems and badges as it may adopt; to establish and maintain offices for the conduct of its business; to establish State, Territorial, and local subdivisions; to publish a magazine or other publications, and generally to do any and all such acts and things as may be necessary and proper to carry into effect the purposes of the corporation.

SEC. 6. That all of the personal property and funds of the corporation held or used for the purposes hereof, pursuant to the provisions of this act, whether of principal or income, shall, so long as the same shall be so used, be exempt from taxes by the United States or any Territory or District thereof: *Provided*, That said corporation shall not accept, own, or hold directly or indirectly any property, real or personal, except such as may be reasonably necessary to carry out the purposes of its creation as defined in this act.

SEC. 7. That membership is limited to women, and no woman shall be a member of this corporation unless she is a citizen of the United States and unless her son or sons or daughter or daughters of her blood served in the Army or Navy of the United States or in the military or naval service of its allies in the great World War at some time during the period between April 6, 1917, and November 11, 1918, both dates inclusive, having an honorable discharge or still in the service.

SEC. 8. That this organization shall be nonpolitical, and as an organization shall not promote the candidacy of any person seeking public office.

SEC. 9. That said corporation may acquire any or all of the assets of the existing organization known as American War Mothers upon discharging or satisfactorily providing for the payment and discharge of all its liabilities.

SEC. 10. That said corporation and its State, Territorial, and local subdivisions shall have the sole and exclusive right to have and to use in carrying out its business purposes the name of American War Mothers.

SEC. 11. That said corporation shall, on or before the 1st day of January in each year, make and transmit to the Congress a report of its proceedings for the preceding calendar year, including a full and complete report of its receipts and expenditures: *Provided, however*, That said report shall not be printed as a public document.

SEC. 12. That as a condition precedent to the exercise of any power or privilege herein granted or conferred this corporation shall file in the office of the secretary of each State the name and post-office address of an authorized agent in such State upon whom local process or demands against American War Mothers may be served.

SEC. 13. That this charter shall take effect upon its being accepted by a majority vote of the incorporators named herein who shall be present at the first meeting of the corporation, due notice of which meeting shall be given to each of the incorporators named herein, and a notice of such acceptance shall be given by said corporation, causing a certificate to that effect, signed by its president and secretary, to be filed in the office of the recorder of deeds of the District of Columbia.

SEC. 14. That Congress may from time to time alter, repeal, or modify this act of incorporation, but no contract or individual right made or acquired shall hereby be divested or impaired.

SEC. 15. That the management and direction of the affairs of the corporation and the controlling and disposing of its property and funds shall be vested in the persons duly elected at the last annual convention held in Kansas City, Mo., who shall be the officers of the American War Mothers for the year beginning October, 1923, to serve until the next annual convention to be held at Philadelphia, Pa., on October 8, 1925, or until their successors are duly appointed, and who are the following:

Margaret N. McCluer, National War Mother, Kansas City, Mo.; Carrie L. Root, first vice National War Mother, Gardner, Ill.; Blanche A. Bellak, second vice National War Mother, Philadelphia, Pa.; Mary E. Spence, third vice National War Mother, Milwaukee, Wis.; Rose S. Sargent, fourth vice National War Mother, San Francisco, Calif.; Alice Bronson Oldham, national recording secretary, Lexington, Ky.; Florence A. Latham, national corresponding secretary, Kansas City, Mo.; Mahala M. Boyd, national treasurer, Newcastle, Ind.; Kate C. De Kay, national historian, Blackfoot, Idaho; Carrie White Avery, national custodian of records, Washington, D. C.; Estelle T. Wilcox, national auditor, Omaha, Nebr.

Mr. SUMNERS of Texas. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SUMNERS of Texas. For how long a time am I recognized?

The SPEAKER. Under the rule the gentleman will be recognized for an hour.

Mr. SUMNERS of Texas. Gentlemen, those of you who have bills on this calendar do not become apprehensive that I will take up the hour. I merely want to direct attention of the House to what I believe is a bad system. The Committee on the Judiciary is a victim of precedents. Now, here we have a congested calendar and the Congress of the United States must act upon an application for a Federal charter, which requires all the formalities of any other law. I do not believe we ought to incorporate these bodies in any such way as this. I assume that these are the most worthy sort of women seeking to have themselves incorporated; I certainly know nothing to the contrary; and I do not question the worthiness of their cause. We are giving to them the right, and their successors in perpetuity, to call themselves National War Mothers. Now, I hope what I say will not be offensive to anybody. This is entirely an impersonal statement.

Mr. GRAHAM. If the gentleman will yield, it is not in perpetuity. That was corrected after discussion in committee, and the incorporation of War Mothers will become extinct with the last of the living war mothers. There is no perpetuity contained in the bill.

Mr. SUMNERS of Texas. I thank the gentleman for that correction. It is not perpetuity, of course, but it is a self-perpetuating body, with the exclusive right to use that term as long as there are any war mothers living who are keeping this organization going. But that is not the point.

Mr. JOST. Mr. Speaker, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. JOST. Does the gentleman have in mind the fact that this very Congress has passed an act incorporating the Grand Army of the Republic on the same terms virtually as are contained in this present bill, and also a previous Congress has given a corporate status to the American Legion and various other organizations of similar character. I want to inquire if the gentleman, in view of the previous action of Congress along that line, believes that Congress should now discriminate against the incorporation of the war mothers?

Mr. SUMNERS of Texas. No. The enumerations of my friend gives force to what I am saying. When the Congress of the United States incorporated each of these bodies it had to turn aside from its general legislative duties. Each incorporation establishes precedents for others.

I think, Mr. Speaker and gentlemen of the House, we should work out some general bill under which these organizations ought to be and have a right to be incorporated and get their charters without taking the time of the National Congress, which is now crowded beyond human capacity apparently with these matters which only Congress can deal with.

I am not going to ask anybody to vote against this bill. That is not the purpose for which I arose. I am just taking a few minutes to point out what I believe to be the duty of Congress—to work out a general plan instead of having people come to Congress, however deserving they may be, from time to time and occupying the attention of Congress when it is already overburdened with business of a legislative nature. We ought to have a general law under which charters of this sort may be granted. I am merely directing attention to that need.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER. The Clerk will report the next bill.

TERMS OF DISTRICT COURT AT DENTON, MD.

The next business on the Consent Calendar was the bill (H. R. 3842) to provide for terms of the United States Circuit and District Court at Denton, Md.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. BLANTON. Mr. Speaker, reserving the right to object, is there any amendment on this bill creating a new judge?

Mr. GRAHAM. No.

Mr. BLANTON. And there will not be in the Senate bill, that will be substituted, which will carry that provision?

Mr. GRAHAM. None whatever. This bill is owing to the geographical situation of Maryland.

The SPEAKER. Is there objection to the present consideration of this bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

*Be it enacted, etc.,* That hereafter and until otherwise provided by law there shall be held annually on the third Monday in January and the first Monday in July terms of the circuit and district courts of the United States for the district of Maryland, at the town of Denton, in said district, said terms to be in addition to the terms now required to be held in the city of Baltimore and the city of Cumberland in said district.

SEC. 2. That the marshal and the clerk of said district shall each, respectively, appoint at least one deputy to reside in said town of Denton, unless he shall reside there himself, and also maintain an office at that place of holding court.

Amend the title so as to read: "A bill to provide for terms of the United States district court at Denton, Md."

With committee amendments, as follows:

On page 1, line 5, strike out the words "circuit and," and in line 6 strike out the word "courts" and insert in lieu thereof the word "court."

On page 1, line 9, strike out the period after the word "district," and insert a comma and the following language: "Provided, That suitable accommodations for holding court at Denton are furnished free of expense to the United States."

Strike out section 2 of the bill.

The SPEAKER. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. GOLDSBOROUGH, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER. The Clerk will report the next bill.

WARRANT OFFICERS OF THE ARMY MINE PLANTER SERVICE

The next business on the Consent Calendar was the bill (H. R. 204) to authorize the Secretary of War to reappoint and immediately discharge or retire certain warrant officers of the Army Mine Planter Service.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. LINEBERGER. I object.

Mr. BLAND. Will the gentleman reserve his objection?

Mr. LINEBERGER. Yes; I will reserve it, but I expect to make it.

Mr. BLAND. Then there is no use in taking time to explain it.

The SPEAKER. Is there objection to the present consideration of the bill which has just been reported?

Mr. LINEBERGER. I object.

The SPEAKER. Objection is made. The Clerk will report the next bill.

LIVESTOCK EXPERIMENT STATION AT COLUMBIA, S. C.

The next business on the Consent Calendar was the bill (H. R. 9398) to provide for the establishment of a dairying and livestock experiment station at Columbia, S. C.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. BEGG. I object.

The SPEAKER. Objection is made. The Clerk will report the next bill.

DISCONTINUANCE OF CERTAIN GOVERNMENT PUBLICATIONS

The next business on the Consent Calendar was the bill (S. 3633) to amend the printing act approved January 12, 1895, by discontinuing the printing of certain Government publications, and for other purposes.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. McKEOWN. Mr. Speaker, will the gentleman from Pennsylvania [Mr. KIESS], in charge of the bill, agree to strike out section 6? If he will, I will have no objection.

Mr. KIESS. I will say to the gentleman that I am very anxious to have the bill passed. The gentleman says he will not object to it if we cut out section 6.

Mr. COOPER of Wisconsin. I object, Mr. Speaker.

Mr. KIESS. Will the gentleman withhold his objection for a moment?

Mr. COOPER of Wisconsin. My objection to this bill is founded on the fact that about two weeks ago I received a pamphlet, as no doubt every other Member of the House did, entitled, "Niagara Falls, Its Power Possibilities and Preservation." Its author is said to be Samuel F. Wyer, and his official title is "Associate in mineral technology, Smithsonian Institution." The merits, or alleged merits, I ought to say, of that publication were vouched for by Dr. Charles D. Walcott, the head of the Smithsonian Institution.

I read that pamphlet, and, having no doubt at all about its character, I wrote upon it immediately after reading it, "Propaganda misrepresenting the facts." In that pamphlet, which by its title was ostensibly devoted to Niagara Falls and the hydroelectric power possibilities of that great cataract, the author proceeded to condemn very directly, certainly very strongly by innuendo, the way, among other things, in which the accounts of the Hydroelectric Power Commission of Ontario are kept. I thought then that the pamphlet would bring a reply, as for some years I have been reading the official reports of that commission, and I was not surprised when this morning I received what I doubt not each Member of the House received, a printed copy of a pamphlet written by Sir Adam Beck, the head of the Ontario commission. He is a man who for his services at the head of the Ontario commission was knighted by the King of England and made Sir Adam Beck. It was, I believe, chiefly his services in that behalf which led to his recognition by the Government of Great Britain. The copy of the pamphlet which I received this morning and now hold in my hand bears this title on the cover:

Misstatements and misrepresentations derogatory to the Hydroelectric Commission of Ontario contained in a report published by the Smithsonian Institution entitled, "Niagara Falls, Its Power Possibilities and Preservation," under the authorship of Samuel F. Wyer, examined and refuted by Sir Adam Beck.

I do not wish this bill to be considered at this time, for, in my judgment, the Wyer pamphlet contains a number of deliberate, willful misrepresentations of facts.

It was issued and circulated just about the time the Congress was expected to take final action on the Muscle Shoals bill, and is very confusing to the average uninformed reader who is intelligent and honest.

By the bill before us you would take off the restriction of law which now limits them to the printing of 1,000 copies, and so permit the printing of an indefinite number.

I read from page 7 of Sir Adam Beck's pamphlet:

In his report Mr. Wyer, seeking to explain why in Ontario the rates are—

And this is quoted from Wyer—

considerably below those prevailing in the United States, asserts—

And this is what Wyer said in explanation—

the "governmentally owned hydroelectric system in Ontario is not taxed."

He further states:

This means a gain of about 10 per cent to electric consumers, with corresponding loss to taxpayers, as compared with conditions in the United States.

Then, answering Wyer, Sir Adam Beck says:

The "governmentally owned hydroelectric system," to which Mr. Wyer refers, is, of course, the Hydroelectric Power Commission of On-

tario, and when he states that this organization "is not taxed," Mr. Wyer affirms what is absolutely false. The Hydroelectric Power Commission of Ontario pays taxes, both to municipalities and to the Provincial Government, to the extent of hundreds of thousands of dollars annually, not only on land which it occupies, but in connection with other properties which it operates. In addition, the commission has paid millions of dollars in customs duties to the Government of Canada, directly and indirectly, on materials and equipment which must be imported from the United States and other countries, a charge for which there is no similar expense of comparable magnitude in the construction and operation of the United States utilities.

On page 3 Sir Adam Beck declares, and I put it up to the judgment and conscience of every man here—

There is, however, a special reason for dealing with this attack made to the Smithsonian Institution because it is laid down in the articles governing the work of the institution that copies of its published volumes are to be given "to every first-class library on the face of the earth." What can be said in support of public-trust funds of the United States being employed to present to "every first-class library on the face of the earth," a printed statement containing misrepresentations and false information designed to be injurious to the general welfare of the people of a friendly nation?

Smithson declared that his great institution was to be established "for the dissemination of useful information among men." This Wyer pamphlet is denounced as deliberate and wicked propaganda against the people of a friendly country, and I do not propose that, under a unanimous-consent agreement, any bill shall have an opportunity to pass, which proposes to strike out the restriction of the act of 1895 limiting them to 1,000 copies of the pamphlet and to permit its printing and circulation without limit. I do not propose that statements of this kind, so strongly denounced, shall go out to the people of this country in an official document as the unquestioned truth.

Mr. JOHNSON of Washington. If the gentleman will yield, the publication in question is a publication of the Smithsonian Institution concerning which I received only yesterday, as well as my colleague, who is a member of the board of regents of the Smithsonian Institution, a letter from Doctor Walcott explaining that many such documents are not printed at the expense of the Government at the Government Printing Office, if printed there at all. It is a matter that is entirely outside the matter referred to in this bill, and I hope the gentleman from Wisconsin will not insist on his objection. The pending bill proposes to enlarge the number to be printed over the present number of 1,000, and that is made necessary because of the growth of the Government. One thousand copies will not go around any many of the publications are very necessary.

Mr. COOPER of Wisconsin. I have reason to think, as other Members have, I believe, who have inspected many of the documents published by the various bureaus of this Government, that some of them are deliberately used for propaganda purposes.

Mr. KIESS. Mr. Speaker, I want to state that for a long time I did not know the gentleman from Wisconsin was referring to our bill at all, because I did not know anything about the publication referred to, and I have not seen it. The object of this bill is purely to save money for the Government, and it changes the law which now permits departments to print only 1,000 copies of a document. In view of the fact that the Budget Bureau now carefully scrutinizes all appropriations and that we recently passed a bill requiring all appropriations for printing and binding to be placed in one item, the committee felt it was perfectly safe to leave the matter in the discretion of a head of a department as to how many copies of a publication should be printed. It is true, as every Member of Congress is aware, that 1,000 copies of some meritorious publication are not enough to go around.

Mr. COOPER of Wisconsin. Will the gentleman agree to strike out that provision of the bill which repeals the restrictive clause of the previous act?

Mr. KIESS. There are some other very important matters which we are particularly anxious to get through in order to save about \$40,000 a year; and if the gentleman from Wisconsin feels that way about it, I would be willing to agree to strike that out in order to have the bill passed to-day.

Mr. Speaker, I yield to the gentleman from New York [Mr. DEMPSEY].

Mr. DEMPSEY. Mr. Speaker and gentlemen, I have the honor to represent the Niagara Falls district and I am very greatly interested in the subject matter of the talk of the gentleman from Wisconsin [Mr. COOPER].

There is a never-ending controversy on the two sides of the river as to which produces the cheaper power, and it seems that one of the great institutions of the Government, one which from

the day it was founded down to date has had the undiminished and unbounded confidence of everybody in the United States, has issued a pamphlet showing that we in the United States have done better than they have done in Canada. This is answered by Sir Adam Beck, a man who has been knighted by the King, as the gentleman from Wisconsin says. I did not know that that would commend him to the gentleman from Wisconsin. I supposed that that would be some reason for detracting from rather than adding to his reputation and strength with the gentleman, but a man who has been knighted by the King, a man who resides in a foreign country, contests the statement advocated and put out by this bureau, as reliable a bureau as we have ever had in the United States, and one which for 100 years has shown that it is entitled to the confidence of the people.

The gentleman gives one illustration which he says discredits America, discredits our institutions, and tends to support the statements of Sir Adam Beck. The gentleman reads a statement which says that the Canadian companies pay certain taxes, and I call the gentleman's attention to the fact that Sir Adam Beck is far from stating that the Canadian companies pay all taxes as our companies do in the United States. He states, and states in a very guarded and a very limited way, that the Canadian companies pay certain taxes. Perhaps they do; but a very limited number of taxes. As compared with what is paid in the United States the amount they pay is infinitesimal. It is practically nothing. It does not weigh at all as against the full burden of taxation borne by our companies. If you go over to the region where this power is used, if you inquire of the consumers, if you go about among them where they know, they will tell you that the statements of the Smithsonian Institute are based upon careful investigation and are based upon facts, and that they are meeting, and meeting again and again and day by day the controversy of Sir Adam Beck; that he is doing as well under government operation as we are doing here under private operation; and that they are able to meet him and able to show just what is shown by the Smithsonian Institute—that they are utterly unable in Canada under government operation to compete or do anything like as well as we do here under private energy, enterprise, and initiative. They lack all that there. We have all of it here.

The Smithsonian article is well founded and well based. It is simply a statement of the facts as they are. It is not in the slightest a misrepresentation or a misconception of the facts.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. NEWTON of Minnesota. It is my understanding that this report is issued by and is the report of the individual making it, and all the Smithsonian Institution did was to do what it has done in other cases—merely use private funds that are available for the purpose of giving this information out for whatever it may be worth.

Mr. DEMPSEY. Yes.

Mr. NEWTON of Minnesota. That is my understanding of it.

Mr. DEMPSEY. I have no doubt the gentleman is correct, and I have no doubt also that the Smithsonian Institution is issuing it for two reasons: First, because the question of the conservation of coal and the question of the utilization of water for power purposes is as important and as big and as great a question as confronts the American people, and in the interests of the American people they want them honestly to have all the scientific knowledge and experience available upon the subject.

Mr. NEWTON of Minnesota. We ought to have something from each side at least.

Mr. DEMPSEY. Yes.

The article criticized by the gentleman from Wisconsin was prepared by Samuel S. Wyer, associate in mineral technology of the National Museum, mechanical engineer, and conservationist. Mr. Wyer was in the service of the Government as a dollar-a-year man during the period of the World War. He is the author of many important treatises, such as *Manufactured Gas in the Home*, *The Smithsonian Institution's Study of Natural Resources*, *Analysis of Electric Service for Rural Homes*, *The Limitations of Superpower and Giant Power*, and *The Power Situation in the United States*. Mr. Wyer is a writer of great ability. He covers a wide range of topics of the greatest interest with painstaking care.

This article was published under the auspices of the Smithsonian Institution, as other of the articles of Mr. Wyer have been, no doubt, in the belief that the study would be useful in the development of the enormous water-power resources of this country. The United States has adopted its own policy of

water-power development, and the law is being administered with very great success—large units of power are being developed and at the highest efficiency. Even though we have adopted our own system it is interesting to examine other systems and to satisfy ourselves that our own system is best for our own country and our conditions.

The article was one prepared by a scientist and student to lend additional light on one of the most important questions of the day and age. It was not prepared with any idea of simply attacking another system or its distinguished head, Sir Adam Beck. It was intended simply as a study of water-power development, and it concludes that our own system is better for us than that which is being carried on in Ontario. Neither the Smithsonian Institution nor Mr. Wyer, I am sure, had any intention of going out of the way to attack the system in Ontario or Sir Adam Beck. It was simply believed that the study which was made would be helpful to our own people.

The SPEAKER pro tempore. Is there objection?

Mr. DALLINGER. Mr. Speaker, reserving the right to object, until I read the committee report on this bill, I had wondered why the Official Register had not been published during the last few years. When I first came to Congress 10 years ago, I found the Official Register one of the most useful documents published by the Government. In fact next to the Congressional Directory and the CONGRESSIONAL RECORD I had more occasion to consult it than any other Government document. Only to-day, at a committee meeting which I attended the members of a certain committee of this House desired some information about the salaries of Government employees, and the last Official Register we could get was published in 1921. I was wondering why it had not been kept up to date, and I had supposed that possibly the Government Printing Office was behind in its work.

Mr. Speaker, it seems to me that the Members of Congress ought to have the Official Register, giving a list of the Government employees and their salaries, because such information is the kind of information that the Representatives of the people, having the power to make appropriations, ought to possess in a convenient form. Scarcely a week passes but what I have some inquiry as to the salary received by some Government employee.

The objection to continuing the printing of the Official Register that is made in this report is that the Official Register was never completely up to date. Why, of course that is true; but the great bulk of it was up to date. It is true that the names of some employees would not be in this year's Official Register and some salaries might be changed by the Classification Board, but it seems to me that on the whole the publication of the Official Register serves a useful purpose and furnishes information that Congress and the people ought to have.

I may add that when I first came here the Congressional Directory contained the salaries of the assistant secretaries and the members of the different independent boards and commissions, but that information is now omitted so that there is now no way in which you can find—a Member of Congress or any other citizen—can find out the salaries of the members of the Federal Trade Commission, for instance, or of any other commission, except by calling up the office of the commission or by searching through the statutes.

I am convinced, therefore, that the printing of the Official Register should not be discontinued, and I shall certainly object to the consideration of this bill unless section 2 is eliminated.

Mr. KIESS. If there is much more to be stricken out we will not have anything left.

The SPEAKER pro tempore. Is there objection?

Mr. DALLINGER. I object.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent to speak for two minutes.

Mr. LINEBERGER. I object.

Mr. NEWTON of Minnesota. Mr. Speaker, in view of the discussion in reference to the Smithsonian bill that has just been objected to, it seems to me that a fair proposition for the information of the House that there should be printed the letter that the Regents of the Smithsonian received from Mr. Walcott, the executive secretary, either this morning or yesterday, in reference to the very proposition that was discussed by the gentleman from Wisconsin [Mr. COOPER]. I ask unanimous consent that Mr. Walcott's communication be printed in the RECORD with these remarks.

The SPEAKER pro tempore. Is there objection?

Mr. RAKER. And I ask unanimous consent that I may insert in the same proposition—

Mr. McKEOWN. I object.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that there be printed in connection with the remarks of the gentleman from Wisconsin two reports by two distinguished American engineers agreeing emphatically with the report against that of Adam Beck.

The SPEAKER pro tempore. Is there objection?

Mr. McKEOWN. I object to that, too.

#### USE OF PRECANCELED STAMPED ENVELOPES

The next business on the Consent Calendar was the bill (H. R. 10471) authorizing the Postmaster General to permit the use of precanceled stamped envelopes.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. HUDSPETH. Reserving the right to object, and I have no idea of objecting—never have objected up to this good hour—I want to ask the gentleman from Illinois a question. I want a little light. Does this permit the use of stencils in advertising State fairs, which was at one time permitted by the Postmaster General? It was permitted for many years, but has recently been discontinued.

Mr. SPROUL of Illinois. That is another bill which I have introduced and will come up later.

Mr. HUDSPETH. I am glad to hear it and I have no objection to this bill.

Mr. BLANTON. Reserving the right to object, what is the necessity of this? We have gotten along without it for a long time.

Mr. SPROUL of Illinois. Well, we are doing new things all of the time. This will save the department \$52,000.

Mr. BLANTON. And it can cost a good deal more.

Mr. SPROUL of Illinois. It will not cost the Government a dollar more, and, as I say, we will save the Government \$52,000.

Mr. BLANTON. If you permit the precancellation of stamps, they are permitted to be used once, and why can not they be used twice? The only purpose of the cancellation of stamps is to prevent people using them twice. If you cancel them before they are used, they can be used two or three times.

Mr. SPROUL of Illinois. I will say that the Postmaster General has recommended the passage of this bill.

Mr. LAGUARDIA. Let me say that these precanceled stamped envelopes have the date on them.

Mr. SPROUL of Illinois. Yes; these stamps have the date on them, and I trust that the gentleman from Texas will not object—I know he stands for economy—and this, as I say, will save the Government \$52,000 a year.

Mr. BLANTON. But the gentleman can not answer my question. Why can not they be used again and again?

Mr. SPROUL of Illinois. Because they are dated.

Mr. TEMPLE. Let me say that the Post Office Department now has the privilege of using precanceled postage stamps, but this is to permit it to use precanceled stamped envelopes. Here is a firm that wishes to send out circulars, and having given bonds, and purchased stamps already canceled they do not have to go through the electric cancelling machine. The name of the post office is printed in black on the postage stamps.

Mr. BLANTON. Will the gentleman state—

Mr. TEMPLE. If the gentleman will wait until I make my statement.

Mr. BLANTON. I do not want to hear any statement, except to answer my question, What is to prevent these stamps being used again?

Mr. TEMPLE. Exactly; that is what I was going to state. The firm that uses the stamps has to give bond. This will give the same privilege in using stamped envelopes that the department already has in using precanceled stamps.

Mr. WATKINS. And it has this additional virtue of being in the interest of conservation. It takes pulp to make envelopes, and if you can use them over and over again so much is saved.

Mr. BLANTON. Well, Mr. Speaker, the obtuse explanations have convinced me, and I withdraw my objection.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Postmaster General is authorized, under such regulations as he may prescribe, to issue a permit to persons using Government stamped envelopes to deface the postage stamps thereon in connection with the placing on the envelopes of the name of the post office and State of mailing, together with such other indicia as may be prescribed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. THOMAS of Oklahoma. Mr. Speaker, I desire to submit an amendment in form of a new section to the bill.

The SPEAKER pro tempore. But the bill has been passed.

Mr. THOMAS of Oklahoma. Then, Mr. Speaker, I ask unanimous consent to vacate the proceedings by which the bill was engrossed and read a third time, read a third time, and passed, for the purpose of offering an amendment.

The SPEAKER pro tempore. The gentleman from Oklahoma asks unanimous consent to vacate the proceedings by which the bill was ordered to be engrossed, read a third time, read the third time, and passed. Is there objection?

There was no objection.

Mr. THOMAS of Oklahoma. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 1, after line 8, insert a new section to read as follows:

"Sec. 2. That section 169 of chapter 335, Seventeenth Statute Laws, is amended to read as follows:

"Sec. 169. The Postmaster General shall provide suitable letter and newspaper envelopes, with such watermarks or other guards against counterfeits as he may deem expedient, and with postage stamps with such device and of such suitable denominations as he may direct, impressed thereon, and such envelopes shall be known as 'stamped envelopes,' and shall be sold at a reasonable price to be fixed by the Postmaster General; such price to cover all costs in connection with and incident to procuring such envelopes and all prices charged for stock and printing shall be in harmony with prevailing prices charged for similar stock and printing by reputable institutions for like quantities and all prices so fixed shall embrace and cover in addition to the price for stock and printing, the value of the postage stamps impressed thereon, but no stamped envelopes furnished by the Government shall contain any lithographing or engraving, nor any printing except a printed request to return the letter to the writer. Letters and papers inclosed in such stamped envelopes shall, if the postage stamp is of a denomination sufficient to cover the postage properly chargeable thereon, pass in the mail as prepaid matter."

Mr. LAGUARDIA. Mr. Speaker, I reserve the point of order upon the amendment.

Mr. BEGG. Mr. Speaker, I make the point of order.

Mr. LAGUARDIA. Because the matter is before our committee now, and it is not germane to this bill.

The SPEAKER pro tempore. Does the gentleman from Oklahoma desire to be heard upon the point of order?

Mr. THOMAS of Oklahoma. Mr. Speaker, the bill to which I seek to make this an amendment provides, so the author says, a saving to the Government of something like \$75,000. It has to do with stamped envelopes and stamps. The amendment that I propose likewise has to do with stamped envelopes and stamps. It adds or seeks to add a proposed section to the bill relating to stamped envelopes.

The SPEAKER pro tempore. The Chair is ready to rule. The bill under consideration provides:

*Be it enacted, etc.,* That the Postmaster General is authorized, under such regulations as he may prescribe, to issue a permit to persons using Government stamped envelopes to deface the postage stamps thereon in connection with the placing on the envelopes of the name of the post office and State of mailing, together with such other indicia as may be prescribed.

The sole purpose of the bill is to grant permission to people to precancel their stamps before depositing them in the mail. The amendment offered to the bill in the form of a new section provides for the manufacture and sale at certain charges, and other provisions with respect to furnishing material to be sent through the mail to prospective customers in the mail, which is entirely beyond the scope of the original bill and consequently not germane. The Chair sustains the point of order.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

#### PROBATION SYSTEM IN UNITED STATES COURTS

The next business on the Consent Calendar was the bill (S. 1042) to provide for the establishment of a probation system in the United States courts, except in the District of Columbia.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, I object.

Mr. GRAHAM. Mr. Speaker, will the gentleman withhold his objection for a moment?

Mr. BLANTON. Yes.

Mr. GRAHAM. This measure has been up a number of times. There is a crying need for it.

Mr. BLANTON. Would the gentleman like to know why I object to it? I have two very good reasons.

Mr. GRAHAM. Every State in the Union has passed a similar law. The District of Columbia has one which has been passed by Congress. Requests for it from courts, from lawyers, and the other bodies which have indorsed it are innumerable and are spread out in the report. This House passed the bill in 1917. It was reported favorably to the House in 1920, but not reached, and now it is again reported favorably by the Committee on the Judiciary. I hope the gentleman will not press his objection to this measure.

Mr. BLANTON. Would the gentleman be willing to except bootleggers from the bill?

Mr. GRAHAM. I wish to say to the gentleman that bootleggers are not included in the bill.

Mr. BLANTON. Here is my objection: In the States of New Jersey, Maryland, and New York most of the judges do not believe in the prohibition laws, and you give them the right by this bill to put culprits on probation. Would not they have practically every bootlegger who is convicted on probation?

Mr. GRAHAM. No. I think this would help the enforcement of the prohibition law. In my judgment if the courts were given this power where there is no power to suspend a sentence a man that was put on probation would be covered with a sentence that would make it a deterrent and affect his conduct in the future.

Mr. BLANTON. If all of the judges in the United States in all of the States were in favor of enforcing all of the laws, I would be in favor of the gentleman's bill.

Mr. GRAHAM. The gentleman will pardon me for saying that I think the judges of the United States courts are in favor of enforcing the law, and I will add also that this would aid in the enforcement of the law. Does the gentleman think it is fair, because of some exceptional instances which occur to him are urged, that the whole country should be deprived of this most beneficent regulation for the administration of the criminal law? It is the purpose of society to return back the man convicted, especially in the first instance, with as little stigma upon him and as nearly fitted to become a good citizen again as possible.

Mr. RAKER. Mr. Speaker, will the gentleman yield?

Mr. GRAHAM. Yes.

Mr. RAKER. Let me add, in addition to what the gentleman has said, that from personal observation and experience, to my mind there is no one act that could be put upon the statute books that will enforce the law better and protect the young man and put him upon his feet so much as will this legislation, if it be passed.

I hope the gentleman from Texas will allow this splendid piece of legislation to pass.

Mr. BLANTON. Is the gentleman from California in favor of the judges in Baltimore turning every bootlegger loose?

Mr. RAKER. I will answer the gentleman by saying that while one judge may make a mistake in a case where a young man commits a crime and there is no chance to protect him, while under this system of probation the court can put him out and make him a good citizen and earn a living for himself and his family and be respectable. I have seen it by the hundreds, and there is no more beneficial law than this.

Mr. BLANTON. Well, I object, Mr. Speaker.

#### COINAGE OF WEIGHTS AND MEASURES—FLOURS, HOMINY, GRITS, ETC.

The next business on the Consent Calendar was the bill (H. R. 3241) to establish the standard of weights and measures for the following wheat-mill, rye-mill, and corn-mill products, namely, flours, hominy, grits, and meals, and all commercial feeding stuffs, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. ABERNETHY, Mr. DOUGHTON, and Mr. BLANTON objected.

The SPEAKER pro tempore. Three objections are heard.

#### PRELIMINARY EXAMINATION AND SURVEY OF SUNDRY RIVERS WITH A VIEW TO CONTROL OF THEIR FLOODS

The next business on the Consent Calendar was the bill (H. R. 11737) authorizing preliminary examinations and surveys of sundry rivers with a view to control of their floods.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. BLACK of Texas. Mr. Speaker, reserving the right to object, I would like to ask the gentleman a question. I see

this bill provides a survey of the Skykomish River, the Snoqualmie River, the Snohomish River, and the Stillaguamish River, all in Snohomish County, State of Washington. About how far apart are these rivers?

Mr. HADLEY. The Snohomish and Stillaguamish Rivers are the two basic rivers. One of them, the Snohomish, has two tributaries, and the bill covers those two tributaries which are recited.

Mr. BLACK of Texas. Does the gentleman contemplate that the Federal Government will do this reclamation work under the surveys intended?

Mr. HADLEY. The bill merely contemplates the usual preliminary examination and reports through the usual channels so as to advise the Congress what in the judgment of the War Department the means and method of flood control upon examination should be. These rivers tumble down from the steep slopes of the western side of the Cascades flowing to the sea through the broad alluvial valleys of western Washington and cut precipitously and in flood periods in a terrific way through the heart of that section of the country, and there these river floods annually or biennially or triennially do a great deal of damage which local interests can not reasonably sustain, and proper protection is important not only there but to the interest of the entire country. There is one river embraced in this bill remote from these others, some 70 miles, which is enumerated in the amendment, and I hope the gentleman will see his way clear to allow this bill to be passed.

Mr. BLACK of Texas. Reserving the right to object, and I shall not object in this instance, but the objection I emphasize is that the Committee on Flood Control is bringing in at every session of Congress these survey bills, and certainly gentlemen do not really contemplate that Congress is going to take up all of these different projects, and it occurs to me it is a waste of money, and I serve notice now—I am not going to object to this bill—but I serve notice now I am going to object to bills of this nature in the future.

Every session of Congress we have these survey bills brought forward; and, of course, after the surveys are made that is the last of it. It costs quite a good deal of money in the aggregate to make these surveys, and we should stop the waste.

Mr. LOZIER. If the gentleman will yield, I would like to inquire if he considers it wise for the Government to make preliminary surveys of small streams which have only a local importance, when we have scores of important harbors and a great system of inland waterways that should be developed without delay? The Government has been unable to develop our harbors and great inland waterways, because it has never felt able to appropriate sufficient funds to accomplish this very commendable purpose.

Now, I consider it very poor policy for the Government to spend money surveying small rivers when our great waterways which are of so much more importance are undeveloped. The American people are vitally interested in the improvement of our inland waterways. Our great rivers are probably the most valuable gift of an all-wise Providence to our Nation, and when they are developed and utilized, they will add immensely to the wealth of our people. Their improvement means lower freight rates to the farmers and to all those engaged in commercial and industrial pursuits. Moreover, these benefits would ultimately be enjoyed by all classes.

Our commerce is increasing by leaps and bounds and it is outrunning our railroad facilities. The improvement of our rivers and harbors is a matter of such outstanding importance that it should not be delayed, and the present projects that have already been approved by the War Department and by Congress should be completed before we take on any new projects.

Why should we spread out over so much territory? Why not complete the projects of major importance and which have had governmental approval for many years? To be effective and efficient, this work should not be done by piecemeal. We should first complete the improvement of the Ohio, Missouri, and Mississippi Rivers and our great harbors on the Lakes and seacoasts. Until these improvements are completed, the people can not hope to get substantial benefits from these projects.

Mr. HADLEY. These surveys are without the jurisdiction of the inland waterways development of our rivers and harbors, and the policy of Congress has been established to operate through another jurisdiction, namely, through the flood control system. And I say in answer to the gentleman that it is highly important to the commercial and economic interests of the country that our waterways be improved under the river and harbor act and also that those that can be protected in the interest of the country by flood control should be so protected, all going on in a companion way. Otherwise none of this work could be done on the Sacramento or the Mississippi River.

Mr. LOZIER. Flood control in the valleys of our great inland waterways is of first importance and should be consummated before we attempt new flood-control projects along small rivers. Flood control along the great rivers is being delayed because of lack of funds, and yet we are spending hundreds of thousands of dollars—yes, millions of dollars, on small projects, scattered all over the country, and where the needs are not nearly so urgent as in the valleys of the great rivers. We are scattering our appropriations over too much territory. Wisdom and common sense suggest that we should complete the projects which have a national importance before we attempt flood control along rivers which have only a local importance.

Mr. HADLEY. Of course that is a broad field and we could not enter upon a discussion of that here, because we could not take the time under the circumstances of to-day's program, but I certainly hope the gentleman will not object to the bill which merely calls for a preliminary examination with a view to controlling floods which affect many people and interests most adversely. It would be a very great hardship, I assure the gentleman, and I hope he will not object.

Mr. LOZIER. I think it bad policy to attempt to improve the small streams which can never be important factors in our transportation systems, at least until the great national rivers are improved and made serviceable to our people. We should concentrate our efforts and complete the projects that have already been approved before we attempt to control flood conditions in short, comparatively small, and less important streams. But as this bill only contemplates a preliminary survey, with a view to ascertaining what, if anything, should be done on these particular rivers, I will not object to the consideration of this bill, but I shall consistently oppose the improvement of the small streams until our great rivers have been harnessed and made useful to our people.

Mr. McSWAIN. Not all of us live on the Missouri River system, and some of us want a little money squandered around on the inland channels. [Laughter.]

Mr. LOZIER. But the gentleman comes from a State that has a seacoast and many harbors that should be improved before the small streams mentioned in this bill are given consideration.

Mr. HUDSPETH. After you have this preliminary work done by the War Department, then how does the gentleman propose to control the floods?

Mr. HADLEY. That is a matter, of course, for experts to determine, whether by dikes or impounding the waters and regulating the flow, or otherwise.

Mr. HUDSPETH. By Government expense or private expense?

Mr. HADLEY. That is to be determined by the engineers and the Government itself, ultimately through Congress.

Mr. HUDSPETH. Does the gentleman object to including the Rio Grande? We have the same conditions there.

The SPEAKER pro tempore (Mr. LEHLBACH). Is there objection to the present consideration of this bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of War be, and he is hereby, authorized and directed to cause preliminary examinations and surveys to be made of the following rivers, with a view to the control of their floods, in accordance with the provisions of section 3 of "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, Calif., and for other purposes," approved March 1, 1917:

Skykomish River, Snoqualmie River, Snohomish River, and Stillaguamish River, all in Snohomish County, State of Washington.

With a committee amendment, as follows:

Page 1, line 4, strike out the words "and survey," and on page 2, line 1, after the word "Washington" insert "and the Nooksak River in Whatcom County, State of Washington."

"SEC. 2. That the sum of \$2,000, or so much thereof as may be necessary, be, and is hereby, authorized to be appropriated to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers to carry out the objects and purposes of this act."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

## INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to withdraw the report of the committee of conference on the Interior Department appropriation bill, H. R. 10020, the report having been rejected in the Senate.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent to withdraw the conference report on the appropriation bill for the Department of the Interior. Is there objection?

Mr. CARTER. Reserving the right to object, Mr. Speaker, I did not understand what the gentleman from Michigan said.

Mr. CRAMTON. The report having been rejected by the Senate, I asked leave to withdraw the report in the House.

The SPEAKER pro tempore. Is there objection?  
There was no objection.

## THE EASTERN SHORE OF MARYLAND TO HAVE TERMS OF THE DISTRICT COURT AT DENTON, MD.

Mr. HILL of Maryland. Mr. Speaker, I ask unanimous consent to extend in the RECORD my remarks on the bill H. R. 3842, which has just been passed by the House.

Mr. WINGO. Reserving the right to object, what is this about?

Mr. HILL of Maryland. I ask unanimous consent to extend my remarks on the bill H. R. 3842.

Mr. WINGO. There is nothing contained in it relating to cider? [Laughter.]

Mr. HILL of Maryland. Nothing whatever.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. HILL of Maryland. Mr. Speaker and gentlemen of the House, by the passage to-day of H. R. 3842, introduced by our colleague, the gentleman from Maryland [Mr. GOLDSBOROUGH], the House has done its part in a very excellent reform of judicial procedure in the Federal district of Maryland.

The United States district court sits primarily at Baltimore, but a number of years ago Congress provided for terms of court in western Maryland, and since that day the people of that part of Maryland have been able to attend the Federal court at Cumberland.

The bill which we have just passed extends the same conveniences to the people of the great and historic Eastern Shore of Maryland. It is not proper that persons interested in civil cases or persons required to appear in Federal criminal courts be forced to go to a court located at any considerable distance. I think that the holding of the Federal district court on the Eastern Shore of Maryland will greatly facilitate Federal judicial business, and I was glad to appear before the Judiciary Committee to second the efforts of Mr. GOLDSBOROUGH for this legislation. It is also to be noted that suitable accommodations for holding court at Denton are to be furnished free of expense to the United States, and that thus the people of the Eastern Shore will have sessions of the court without any considerable addition of expense to the Federal Government.

## THE BATTLE OF BENNINGTON

Mr. GIBSON. Mr. Speaker, I ask unanimous consent to extend my remarks on Senate bill 3895.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. GIBSON. Mr. Speaker, a century and a half ago there was in the hearts of the American colonists an ever-increasing desire for freedom from British control. Important events were shaping for the greatest contest ever experienced by human progress.

Seventeen hundred and seventy-three saw, in the then frontier town of Westminster in my native county, the first armed resistance to British authority. Two years later the embattled farmer fired at Concord the shot that was heard around the world. Ethan Allen stormed Ticonderoga in the name of the Great Jehovah and the Continental Congress. Bunker Hill gave the soldiers of the King a touch of the valor of the sons of America and strengthened their determination for resistance. The great Virginian penned the Declaration of Independence and it was boldly adopted. It spread before the world a new principle of government—that all of its powers are derived from the consent of the governed. The Colonies were in open revolt. The struggle, destined to drag over seven long years, was on. The mother country, with her German King, girded herself for the conflict.

Before the ink was dry on the charter of American freedom England's plans were formulated to separate New England from the rest of the Colonies. The strategy called for an ad-

vance down Lake Champlain with a formidable fleet, a march across to Albany, then down the Hudson, and then make all the territory to the east securely a part of England forever.

To consummate this plan a fleet was sent under able commanders, manned by the pick of British seamen. In the face of this potential danger, did the colonists flinch? They went into the virgin forests bordering the lake, felled trees, fashioned them into rude boats, manned them with green landsmen, and at Valcour Bay gave battle to a fleet superior in boats, equipment, and man power. For hours one of the most remarkable battles in all our naval history raged. Darkness fell without result, though the American fleet was crippled, some of the boats sunk, and many of the brave men killed. Escaping at night by a strategic maneuver skillfully executed, the remnant of the fleet sought the protection of a fort at the southern end of the lake, but, being overtaken, was compelled to engage in a running fight for hours. It succeeded in inflicting great damage on the enemy. Did these brave men surrender? No. When they could resist no longer the commander ran his boats ashore, set fire to them, and with the flames encircling the flag at the masthead, dropped over the rail, the last to leave the ship, and marched his men off into the forest.

Of this remarkable battle Captain Mahan has said,

That the Americans were strong enough to impose capitulation at Saratoga in 1777 was due to the invaluable year of delay secured by them in 1776 by their little Navy on Lake Champlain.

Owing to the injuries inflicted by the American fleet, the British gave up the campaign for that year. Captain Mahan, in further comment, has this to say:

The little American Navy was wiped out, but never had any force, big or small, lived to better purpose, or died more gloriously, for it saved the lake for that year.

But the original plan was not given up. The next year a formidable army was gathered on the Canadian frontier. One of England's ablest generals, Sir John Burgoyne, was put in command. He had won his laurels in Portugal, an author of recognized ability, a polished gentleman, and a respected member of Parliament. He had under his command 4,000 seasoned British and 3,000 German veterans. His brigade commanders were General Fraser, who had served under Wolfe at Quebec and Louisburg; General Phillips, who had won fame in the German wars; and Lord Balcaras, who had served his king in the armies for 20 years.

Burgoyne came down the lake in triumph, capturing Ticonderoga, Crown Point, and other strongholds, defeating the American Army decisively at Hubbardton and spreading his sphere of activity and bringing into subjection the people of both sides of the lake. The Americans were in despair. The prospect of an early termination of the contest was seemingly apparent.

But Burgoyne by the time he had advanced to the heights of Saratoga found himself in need of supplies. The Americans had collected 1,000 barrels of wheat flour, 2,000 oxen, 300 horses, and other supplies at Bennington, a few miles away. Colonel Baume and his veteran German troops, aided by some English troops and American loyalists, were sent to capture the supplies and advance into the interior.

New England was astir. The militiamen of Vermont, New Hampshire, and Massachusetts rallied as if by magic and consolidated under General Stark, the able and gallant soldier of New Hampshire. They met the Hessians and the Brunswickers near Bennington, captured or killed most of them, saved the stores, and spread doubt and dismay in Burgoyne's camp. These green militiamen met the best troops of Germany and defeated them.

This was the first time Germans met Americans on the field of battle. One hundred and forty-one years later they met again, but this time on the soil of the sister Republic of France, when the citizen troops of New England helped to stop the German advance and save the civilization of the world.

At Bennington there came together the citizen soldiers of many States united in a common cause, and out of its unity and purpose was born the real American spirit—that spirit that has ever been the common heritage and inspiration of our soldiers on the field of battle. That same spirit was with the boys in khaki at Belleau Woods, at Apremont, and up in the Argonne, where the boys from off the farms and out of our stores and factories met the best troops of the greatest military power of the world and sent them back in defeat. So it is not alone because of the fact that an American battle was fought at Bennington that this concession is asked. It would be fitting in commemoration of the birth of our splendid American spirit,

The inevitable result followed. The Americans took renewed courage. They went at the task with confidence. Burgoyne's army was hemmed in. Supplies were cut off and in October he surrendered making Saratoga one of the decisive battles of the world's history. The plan to cut off New England was abandoned. Our struggling armies were filled with confidence. France came to the rescue. Finally, after heart-rending suffering and sacrifice the British armies laid down their arms. When Lord Cornwallis proffered his sword to Washington at Yorktown a new country took her place in the councils of nations. But if Baume had won at Bennington and the stores had been captured he would have marched to Albany, effected a union with Howe down the Hudson, and a far different story would run through the pages of our history. Bennington marked, in the opinion of the greatest historians of two continents, expressed in the words of George Otto Trevelyan, nephew of Lord Macaulay, "The turning point of the Revolution." The new principle of government found its place in the affairs of men. It has changed the political map of the world. Republics have replaced monarchies. Peoples of all nations have accepted it as the true rule and guide. Now, men, not kings, direct the governments of the millions of human souls, and shape the political destiny of the world.

So it is not alone the fact that a decisive battle was fought at Bennington, not alone the fact that our American spirit there had its birth, but in addition the fact that the victory there made possible the blessings of political liberty, not only for the generations that have enjoyed it during the past century and a half of our existence, but for countless generations yet unborn. That should justify us in granting this request.

And there is yet another reason. This bill states that it is the proposal also to commemorate the independence of Vermont.

It is a wonderful story, this history of my native State. Her territory was claimed by New Hampshire and Massachusetts. New York was bitterly hostile. Canada was threatening on the North. Continental Congress turned her down. In this situation she declared her independence, not only of England, but of Continental Congress and all the world and maintained that independence for 13 years. In the crisis of her affairs her great leader was led to declare:

I am as resolutely determined to defend the independence of Vermont as Congress is that of the United States and rather than fail will retire with the hardy Green Mountain Boys into the desolate cavern of the mountains and wage war with human nature at large.

But finally Vermont entered the Union, the first after the original thirteen. Since then she has done her part. Her sons have been at the crucial points of every conflict. They led the charge up the heights of Chapultepec on the plains of Mexico. They stood as the rock at Gettysburg against which the brave sons of the South broke in their magnificent charge. Her Dewey struck the shackles of 300 years of misrule from the Filipinos and opened wide the gates of those oriental islands to the civilization of the West. Her Clark brought the Oregon across the Tropics and around the Horn, 5,000 miles, to Santiago, ready to whip the whole Spanish Navy. In the late war she sent 1 in 20 of her population into the service, 75 per cent of whom were volunteers. Her Collamer and Foote, Edmunds, Morrill, Proctor, and Dillingham have stood as giants in these halls of legislation. Her artists, educators, and inventors have given a wealth unmeasured to the Nation. Out from among her people have come the direct forbears of three Vice Presidents and four Presidents of the Republic.

She has been a leader in great movements. She was the first State to declare that human slavery should not exist. In 1790, when the well-defined movement to break up this Union was under way, it was the Legislature of Vermont that boldly declared for one indissoluble Union, now and forever, adopting a principle that 65 years later became the guiding idea and the uniting bond of the sisterhood.

Ah, yes! Men who are gathered here as the Representatives of the peoples of this great country, Vermont has won her right to celebrate the one hundred and fiftieth anniversary of her independence and to have the help of the Nation to the extent asked in the bill.

The SPEAKER pro tempore. The Clerk will report the next bill.

#### STUDY OF THE CONSTITUTION OF THE UNITED STATES

The next business on the Consent Calendar was the resolution (H. Res. 416) expressing a desire that every educational institution provide a course for the study of the Constitution of the United States.

The title of the resolution was read.

The SPEAKER pro tempore. Is there objection to the present consideration of this resolution?

Mr. LA GUARDIA. Reserving the right to object, Mr. Speaker, who is sponsoring this resolution? I would like to know how we can study the Constitution by violating the Constitution and proceeding in other matters that are entirely within State jurisdiction? I suppose some little pupil will say to some professor, if this course of study is taken up, "Does Congress now regulate our States?" What will the teacher say? [Laughter.]

Mr. WINSLOW. I can not tell what the teacher would say, but I can tell you what he may properly say.

Mr. RAKER. Mr. Speaker, I would like to call the gentleman's attention to page 2, lines 9 and 10. There I find this language:

To this end the cooperation of all commissioners, secretaries, and boards of education, whether Federal or State, of all patriotic or educational societies and associations, as well as of the governors and legislatures of the several States, is earnestly invited and solicited.

It would seem that it would be sufficient to this end to have the cooperation of all patriotic or educational societies and associations. Why not strike out those other organizations?

Why not strike out those other organizations and simply appeal to the legally constituted bodies? Does not the gentleman think that would be better?

Mr. WINSLOW. Of course, you will realize that I am not trying to precipitate any discussion, but my belief is that the more general we make this the more attention we will attract to it, and the less formal it is perhaps the more we will get an interpretation of the intention and, I hope, more response.

Mr. McKEOWN. Will the gentleman yield?

Mr. WINSLOW. Yes.

Mr. McKEOWN. I wish to say to the gentleman that the Legislature of Oklahoma in the last few days has passed a bill making it compulsory to teach the Constitution in its public schools. [Applause.]

Mr. HUDDLESTON. Mr. Speaker, I intend to object to the resolution. I do not want to take the gentleman off of his feet, but I want to reserve the right to object.

Mr. WINSLOW. I do not want to have any discussion with the gentleman about the matter, but I would like to say this much: That there is no joker in this resolution; there is no politics; there is no religion; there is nothing in it except what appears on the surface, and it is an endeavor to have a more educated and better conception of citizenship in this country.

The SPEAKER pro tempore. Is there objection?

Mr. HUDDLESTON. Mr. Speaker, I object.

#### APPOINTMENT OF STENOGRAPHERS IN THE COURTS OF THE UNITED STATES

The next business on the Consent Calendar was the bill (H. R. 5265) to authorize the appointment of stenographers in the courts of the United States, and to fix their duties and compensation.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the district court of the United States in each district shall, for the purpose of perpetuating the testimony and proceedings therein, appoint one or more competent stenographic reporters, as the business to be done may require, who shall be known as the official reporters of said courts and who shall hold office during the pleasure of the judges appointing them, or of the successors of said judges. Such reporters as may be appointed from time to time shall attend all sessions of or hearings before the said district courts, and shall upon the direction of the court in any civil or criminal action or proceedings take in shorthand the testimony and all proceedings had upon the trial or hearing, except the arguments of counsel, and shall, when directed by the court or a party to the proceedings, transcribe the same within such time as the court may designate and preserve the original stenographic notes for a period of not less than five years.

Sec. 2. Such reporters before entering upon the duties of the office shall be sworn to the faithful performance thereof.

Sec. 3. The transcript of the testimony and proceedings in any case when duly certified by such reporters shall be deemed prima facie a correct statement of such testimony and proceedings.

Sec. 4. The compensation of such stenographers for services and transcripts and their duties, and the rules and regulations relating

thereto, shall be prescribed by rules to be adopted by the district court in each district. The compensation shall not exceed such as is now or may be hereafter provided by law in the State courts in the State in which such district court is held, if such law there be. Such compensation for services shall be paid to the stenographers herein authorized in the same manner as the salaries of the judicial office are paid. The fees to be paid to such stenographers by the parties to actions or proceedings in said courts shall be prescribed by rules to be adopted by said court in each district. They shall not exceed such as are now or may be hereafter required to be paid to the State stenographers in the respective States in which said district courts are held, if any such there be.

Mr. BLANTON. Mr. Speaker, I offer an amendment. Where it provides for one or more stenographers strike out the words "or more." Also strike out the letter "s" in the word "reporters."

The SPEAKER pro tempore. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 1, line 5, strike out the words "or more" and the letter "s" in the word "reporters" in line 6.

Mr. BLANTON. Mr. Speaker, I want to call the gentleman's attention to the fact that I do not believe any court of the United States needs more than one reporter. They do not hold long sessions. They meet, usually, at half past 9 or 10 o'clock; they sit until about 12 or 1 o'clock, and then they adjourn for two hours for lunch; they meet again at about 2 o'clock and then adjourn at about 5. It is very unusual for them to hold night sessions.

Mr. WATKINS. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. WATKINS. In Chicago they have 10 or 12 judges in one court, and in Oregon we have 2. What are you going to do when both judges are sitting?

Mr. BLANTON. You can have but one reporter when a court is going on.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. NEWTON of Minnesota. In my State, the State of Minnesota, we have one court for the entire State, but three judges, and they sit at the same time.

Mr. BLANTON. Each one would have authority to appoint a reporter.

Mr. NEWTON of Minnesota. No; not under the gentleman's amendment. The gentleman's amendment would restrict it to one stenographer for the entire court, regardless of the number of judges.

Mr. BLANTON. If it is understood in passing this bill that no judge shall have more than one reporter it is all right, but I did not want the bill to go by and have it construed that they could have two, three, four, or five reporters.

Mr. Speaker, I withdraw the amendment.

The SPEAKER pro tempore. Without objection, the amendment will be withdrawn.

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

#### APPOINTMENT OF A LEADER OF THE ARMY BAND

The next business on the Consent Calendar was the bill (H. R. 11253) to provide for the appointment of a leader of the Army Band.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LINEBERGER. Mr. Speaker, I object.

Mr. SUTHERLAND. Will the gentleman withhold his objection for a moment?

Mr. LINEBERGER. Yes; I will reserve my objection.

Mr. SUTHERLAND. The gentleman, I am sure, understands the purpose of this bill. The leader of the Navy Band has the rating or the rank of a lieutenant. The leader of the Marine Corps Band has the rank and rating of a captain, but the leader of the Army Band is on a salary of from \$148 to a possible \$185 a month. The present condition with regard to the salaries of the band leaders discriminates against the leader of the Army Band.

My interest in this bill arises from the fact that the present leader of this band was in Alaska for a number of years, and the gentleman will understand that by reason of my peculiar position in the House I could not very well introduce a bill that did not apply in any way to my district, and therefore the chairman of the committee, the gentleman from Illinois,

introduced the bill. I appeared before the committee and called it up, and it was reported out by the gentleman from Alabama.

Mr. McKENZIE. Will the gentleman yield?

Mr. SUTHERLAND. Yes.

Mr. McKENZIE. The only purpose of this bill is to put the band leader of the American Army on the same plane as the band leader of the Navy?

Mr. SUTHERLAND. And of the Marine Corps; yes.

Mr. WINGO. Will the gentleman yield?

Mr. SUTHERLAND. Yes.

Mr. WINGO. How long did this gentleman stay in Alaska?

Mr. SUTHERLAND. He was in Alaska almost six years.

Mr. WINGO. Then I withdraw my objection, Mr. Speaker.

Mr. SUTHERLAND. Will the gentleman from California withdraw his objection on the same grounds?

Mr. LINEBERGER. Mr. Speaker, I realize an attempt is being made here to remedy a discrimination, and I sympathize very deeply with the gentleman, because I have been attempting to do the same thing for about four years for the emergency Army officers. I object.

Mr. BLANTON. Mr. Speaker, in view of the fact we are to have a night session, I think we ought to have a quorum now, and I make the point of no quorum.

The SPEAKER pro tempore. The gentleman from Texas make the point of order there is no quorum present. The Chair will count.

#### RECESS

Mr. TILSON. Mr. Speaker, I move that the House now stand in recess until 8 o'clock to-night.

The motion was agreed to; accordingly (at 5 o'clock p. m.) in accordance with its previous order, the House stood in recess until 8 o'clock p. m.

#### EVENING SESSION

The recess having expired, at 8 o'clock p. m., the House was called to order by the Speaker.

#### SUFFERERS FROM CYCLONE AT LAGRANGE AND WEST POINT, GA.

The first business on the Consent Calendar was House Joint Resolution 115, approving the action of the Secretary of War in directing the issuance of quartermaster stores for the relief of sufferers from the cyclone at Lagrange and West Point, Ga., and vicinity, March, 1920.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that this bill be passed without prejudice.

Mr. WRIGHT. I object to its being passed.

Mr. LAGUARDIA and Mr. BLANTON objected.

The SPEAKER. Two gentlemen object, not a sufficient number, and the Clerk will report the bill.

The Clerk read the bill, as follows:

*Resolved, etc., That the action of the Secretary of War in directing the issue, and the issuance of quartermaster stores out of the reserve stores in the field service of the Army, of the value of \$7,563.15, and in directing the payment of \$985.12 from "General appropriations, Quartermaster Corps, 1920," for transportation of such stores, for the relief of sufferers from the cyclone at Lagrange and at West Point, Ga., and vicinity, in March, 1920, is approved; and credit for all such supplies issued, and funds so disbursed, shall be allowed in the settlement of the accounts of the officers of the Army.*

Mr. BLANTON. Mr. Speaker, I move to strike out the last word. I do not know whether Congress wants to embark or not on the policy of letting any Cabinet officer take such action as was taken here without the authority of Congress. Of course, Congress has the right to grant relief to cyclone sufferers or when any special calamity befalls the people, but for any Cabinet officer, without authority, to do it I do not know where it would lead to.

Mr. McKENZIE. I would agree with the gentleman from Texas if it were anything in the ordinary life of the country. But when a calamity occurs and the supplies are furnished and suffering is relieved, every one of these cases should stand on its own merit. It seemed to the Committee on Military Affairs that the War Department not only did an act of mercy but what the people of the United States would approve of.

Mr. BLANTON. Congress would have directed it to be done, probably, but it ought to rest with Congress when it is done, and the War Department ought not to take upon itself to do such things when it has no authority.

Mr. McKENZIE. I know that the gentleman from Texas means to be kind and generous.

Mr. BLANTON. I do; and I would have voted for extending this help if it was a matter up before Congress. The only protest I am making is against this as a policy. I protest against a Cabinet officer doing something he has no authority whatever to do and then coming to Congress and trying to get the approval for it. I merely register my protest, I do not care to take up any further time, but I want to protest against all such unauthorized action.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

#### APPROACH ROADS TO NATIONAL CEMETERIES AND NATIONAL MILITARY PARKS

The next business on the Consent Calendar was the bill (S. 2745) to authorize the Secretary of War to convey to the States in which located Government owned or controlled approach roads to national cemeteries and national military parks, and for other purposes.

The SPEAKER. Is there objection?

Mr. LAGUARDIA. I object.

#### FOR THE RELIEF OF SUFFERERS FROM EARTHQUAKE IN JAPAN

The next business on the Consent Calendar was the bill (S. 8171) for the relief of sufferers from earthquake in Japan.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

Mr. BLANTON. I object.

Mr. HULL of Iowa. Will the gentleman reserve his objection?

Mr. BLANTON. I will.

Mr. HULL of Iowa. I want to say that I do not see why anyone should object to this bill. The act has been carried out and supplies have been furnished. It was an act of mercy dictated by the President. This bill simply permits the President to straighten out the accounts.

Mr. BLANTON. Was not Congress in session at that time?

Mr. HULL of Iowa. I do not think it was; no, sir, it was not. If they had been, they could not have acted quick enough to take care of the situation caused by the earthquake.

Mr. BLANTON. Well, Mr. Speaker, I can not find it in my heart to object if the gentleman presses the matter.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the action of the Executive in directing the issue, and the issuance of Army supplies out of the current and reserve stock for use of the Army, and in directing payment for supplies and for services rendered in connection with the shipment and transfer of such supplies, including all other extra expenditures, of a value not exceeding \$6,017,069.03 for the relief of sufferers from the earthquake in Japan on September 1, 1923, is approved. Credit for all such supplies so issued and funds so disbursed in connection therewith and with relief tendered by the Army shall be allowed in the settlement of the accounts of the officers of the Army.

The bill was ordered to be read a third time, was read the third time, and passed.

#### MILLERSYLVANIA STATE PARK, WASH.

The next business on the Consent Calendar was the bill (H. R. 11210) to grant certain public lands to the State of Washington for park and other purposes.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That lot 5 of section 2, township 16 north, range 2 west, Willamette meridian, be, and the same is hereby, granted to the State of Washington for park, recreation, playground, or public convenience purposes, upon the condition that the State shall make payment for such land at the rate of \$1.25 per acre to the receiver of the United States land office, Seattle, Wash., within six months after the approval of this act: *Provided,* That there shall be reserved to the United States all oil, coal, or other mineral deposits found at any time in the land, and the right to prospect for, mine, and remove the same: *Provided further,* That the grant herein is made subject to any valid existing claim or easements, and that the lands hereby granted shall be used by the State of Washington only for the purposes herein indicated, and if the said land, or any part thereof, shall be abandoned for such use, said land or such part shall revert to the United States; and the Secretary of the Interior is hereby authorized and empowered to declare such a forfeiture of the grant and to restore said premises to the public domain, if at any time he shall determine that the State has, for more than one year, abandoned the land for the uses herein indicated, and such order of the Secre-

tary shall be final and conclusive, and thereupon and thereby said premises shall be restored to the public domain and freed from the operation of this grant.

The following committee amendment was read:

Page 1, line 6, after the word "purposes," strike out the remainder of the sentence down to and including the word "act," in line 10.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

#### UINTAH AND WHITE RIVER TRIBES OF UTE INDIANS OF UTAH

The next business on the Consent Calendar was the bill (S. 3080) for the relief of the Uintah and White River Tribes of the Ute Indians of Utah.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TILLMAN. I object.

Mr. KNUTSON. Mr. Speaker, I hope the gentleman will withhold his objection for a moment.

Mr. TILLMAN. I reserve the objection for a moment.

Mr. KNUTSON. There are two bands of Indians in the State of Utah that this bill affects, and both of them have what the Committee on Indian Affairs considers to be valid claims against the Government, that should go to the Court of Claims for adjudication. I am sure that my friend from Arkansas, having served on the committee with him, as I have, does not want to work an injustice to these poor people by withholding an opportunity to go into the Court of Claims and present their case against the Government. They have been trying for years to get this legislation through, and it has been so situated on the calendar that Congress has adjourned before action could be taken.

Mr. TILLMAN. I have read the bill, and I have read the report. It is one of those stale claims. I do not know just how old it is. Will the gentleman tell me how old the claim is?

Mr. KNUTSON. It runs back a number of years.

Mr. TILLMAN. Mr. Speaker, I object.

#### ADDITIONAL JUDGESHIP IN OKLAHOMA

The next business on the Consent Calendar was the bill (H. R. 9188) to amend section 101 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GRAHAM. Mr. Speaker, this bill was added as an amendment to H. R. 64, which was passed by the House. I therefore ask unanimous consent that the bill lie on the table.

The SPEAKER. Without objection, the bill will lie on the table.

There was no objection.

#### NORWEGIAN STEAMSHIP "HASSEL"

The next business on the Consent Calendar was the bill (S. 2718) to authorize the payment of an indemnity to the Government of Norway on account of losses sustained by the owners of the Norwegian steamship *Hassel* as the result of a collision between that steamship and the American steamship *Ausable*.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BLACK of Texas. Mr. Speaker, I reserve the right to object. Is the gentleman from Pennsylvania on the floor who is in charge of this bill?

Mr. BLANTON. Mr. Speaker, if the gentleman will permit, the gentleman from Pennsylvania [Mr. TEMPLE], who has this bill in charge, stated that this is a compromise payment that will pay considerably less than if it were left to arbitration. This settlement has been recommended by President Coolidge, and it is a settlement that will save the Government much money.

Mr. BLACK of Texas. I see from the report that the cost of the repairs to the ship amounted to \$46,000 and that \$118,000 is awarded for demurrage. The inquiry I make is this: Most all of these claims of a similar nature we send to the United States district courts sitting as an admiralty court to be decided in that court, according to admiralty law. I am wondering why this case should not take the same course.

Mr. LAGUARDIA. They would be allowed demurrage in the admiralty court. That is one of the elements of damage.

Mr. BLACK of Texas. That is very true.

Mr. MOORE of Virginia. Mr. Speaker, I happen to be on that committee. Doctor TEMPLE is not here to-night. The gentleman from Indiana [Mr. MOORE] was expected to say something about the claim. The difficulty about prosecuting the claim in an admiralty court is that the claimants are Norwegians, and they would be forced to come to the admiralty court in this country in order to contest the claim, which would be a very expensive matter.

Mr. BLACK of Texas. The last time we considered bills on the Private Calendar I recall that there were two such cases where a Japanese shipping concern was interested. Both of those bills provided that the suits be tried in the United States district court sitting as an admiralty court, with the district attorney defending for the Government.

Mr. MCKEOWN. This is a country—the Norwegian Government.

Mr. BLACK of Texas. But the ship was owned by private individuals, citizens of Norway—

Mr. LAGUARDIA. In this case we admit liability.

Mr. BLACK of Texas. But the question of damages would have to be decided.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. BLACK of Texas. Yes.

Mr. BLANTON. Doctor Temple assured me this afternoon that this would be a saving of an enormous sum of money to the Government.

Mr. BLACK of Texas. That is the usual argument made in these cases, but it does not convince me at this time. I would have no objection at all to the bill being amended so that the case would be tried in the United States district court sitting as an admiralty court.

Mr. LAGUARDIA. If the gentleman will yield, we passed a bill only a few days ago which would permit these cases to go to the admiralty court, but that is not a law as yet.

Mr. MOORE of Virginia. They have been in the admiralty court once in Norfolk and that court determined that it had no jurisdiction. Then it came to the State Department. The State Department examined the facts carefully and made a recommendation which, as has been stated, cuts the amount below the amount which might be expected to be recovered. Here is another fact which perhaps might appeal to my friend from Texas. The Bureau of the Budget has examined the case, and has come to the conclusion that the allowance is moderate and ought to be made, and is less than we should expect to escape with if the matter were finally adjudicated in an admiralty court.

Mr. BLACK of Texas. Well, I will say to my friend from Virginia I read the statement from the Bureau of the Budget and I conclude that it was largely predicated upon the recommendation of the President. I shall have to object at this time until I can have more time to look into the case.

#### ADJUDICATION OF CLAIMS OF CERTAIN BANDS OF INDIANS

The next business on the Consent Calendar was the bill (S. 3346) to provide that jurisdiction shall be conferred upon the Court of Claims, notwithstanding the lapse of time or statutes of limitation, to hear, examine, and adjudicate and render judgment in any and all legal and equitable claims arising under or growing out of any treaty or agreement between the United States and certain bands of Indians, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. BLANTON. Reserving the right to object.

Mr. NEWTON of Minnesota. Mr. Speaker, I would like to inquire with reference to just what particular point is involved in the litigation as to the precedent that may be established in this case?

Mr. SPROUL of Kansas. I can explain the situation, which is just this: A jurisdiction bill authorized the Indians involved to prosecute a suit against the Government for the settlement of their claims. The suit was prosecuted, a judgment was rendered, and it seems that there was no notice received by the attorneys living in North Dakota; and the time within which the appeal could be perfected expired before they received any notice. They filed a motion to have the court reopen the case, but under the law it could not be done. Now, this bill as amended merely gives them what they lost—a right of appeal from the judgment of the court.

Mr. NEWTON of Minnesota. As I understand it, then, Congress conferred jurisdiction so that a suit could be heard originally?

Mr. SPROUL of Kansas. In the first instance; yes.

Mr. NEWTON of Minnesota. There was a decision against the Indians; they intended to appeal, but through an oversight or negligence they did not perfect the appeal?

Mr. SPROUL of Kansas. The evidence indicated that the notice to the attorneys miscarried or was lost in the mail. Satisfactory proof was offered to the committee that the attorneys did not receive any notice, did not have any knowledge whatever of the decision of the Court of Claims upon the merits of the case, and so no appeal could be taken. This simply gives them the right which was lost by a possible miscarriage of the mail.

Mr. BLANTON. Mr. Speaker, reserving the right to object, I take it the title of this bill is misleading as it would indicate in all controversies between the Government and Indians any tribe could take their case to the Court of Claims. That is certainly an error, is it not? This bill permits only one tribe of Indians with respect to one controversy to take their claim to the Court of Claims.

Mr. SPROUL of Kansas. That is correct.

Mr. BLANTON. With that understanding, I shall not object.

Mr. NEWTON of Minnesota. Mr. Speaker, I withdraw the reservation of the right to object.

The SPEAKER. The Clerk will report the bill.

Mr. RAKER. Mr. Speaker, the bill contains five pages, and all is stricken out except the enacting clause and an amendment of a few lines inserted at the end of the bill. I would ask that the amendment be read.

The SPEAKER. Without objection, the amendment will be read. [After a pause.] The Chair hears none.

The Clerk read as follows:

*Be it enacted, etc.*, That the plaintiffs or complainants in suit No. 33731 in the Court of Claims of the United States be, and they are hereby, granted the regular statutory period of time within which to appeal from any or all orders, judgments, or decrees rendered against them in the trial of said action heretofore had: *Provided*, That the time within which said appeal may be taken shall begin to run with the date of the approval of this act.

The amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "An act to grant the right and time for appeal to plaintiffs in suit No. 33731 in the Court of Claims of the United States."

#### AMENDING ACT RELATIVE TO PER CAPITA COST OF INDIAN SCHOOLS

The next business on the Consent Calendar was the bill (S. 4014) to amend the act of June 30, 1919, relative to per capita cost of Indian schools.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

*Be it enacted, etc.*, That the second paragraph of the act of June 30, 1919, page 6 (41 Stat. L. p. 6), entitled "Per capita cost," be, and the same is hereby, amended by inserting in the third line thereof the amount "\$270" in lieu of "\$225" and in the eighth line thereof the amount "\$300" in lieu of "\$250," so that the same shall read:

That hereafter, except for pay of superintendents and for transportation of goods and supplies and transportation of pupils, not more than \$270 shall be expended from appropriations made in this act, or any other act, for the annual support and education of any one pupil in any Indian school, unless the attendance in any school shall be less than 200 pupils, in which case the Secretary of the Interior may authorize a per capita expenditure of not to exceed \$300.

The bill was ordered to be read the third time, was read the third time, and passed.

#### ADJUDICATING CLAIMS OF KANSAS OR KAW TRIBE OF INDIANS

The next business on the Consent Calendar was the bill (H. R. 9062) conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any and all claims, of whatever nature, which the Kansas or Kaw Tribe of Indians may have, or claim to have, against the United States, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. BLACK of Texas. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Michigan [Mr. HUDSON] to give some reason why we should refer this case to the Court of Claims when the act of 1902, passed by Congress, provided that a commission should review the whole matter and that the settlement arrived at should be a final settlement of everything owed by the Government, and \$155,000 was, in fact, paid by the Government under this settlement, and these Indians executed an agreement that it should be a full and final settlement of all claims. Now, why should we send

anything more to the Court of Claims in view of that situation? It seems to me the whole matter should be considered as closed.

Mr. HUDSON. Mr. Speaker, replying to the gentleman from Texas, it is true under the act of Congress cited by the gentleman a commission was appointed which did make a settlement with the Indians upon that treaty, but there was a surplusage of acreage which they claim consisted of 1,283,200 acres which was not properly adjudicated in that settlement.

Mr. BLACK of Texas. The commission found that this land claim was entirely unfounded, did it not?

Mr. HUDSON. Well, I think, generally yes; but this is simply to allow every man his day in court.

Mr. BLACK of Texas. Mr. Speaker, in view of the fact that Congress passed a definite law on this subject—

Mr. HUDSON. If the gentleman will withhold for a moment I would like to say that every right of the Government is safeguarded in this bill.

Mr. BLACK of Texas. That is true; but when is there going to be an end of matters like this when we pass a bill and get a full and final settlement?

Mr. HUDSON. There never can be one until the matter is settled in court.

Mr. HASTINGS. If the gentleman will yield further, these gentlemen claim that the commission that has been referred to misconstrued the law, and this requires simply a legal construction and settlement under the treaty.

Mr. BLACK of Texas. In view of this last statement I will withdraw my objection.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That jurisdiction be, and is hereby, conferred upon the Court of Claims, notwithstanding the lapse of time or statutes of limitation, to hear, examine, and adjudicate and render judgment in any and all legal and equitable claims which said Kansas or Kaw Tribe of Indians may have or claim to have against the United States, growing out of or arising under any treaty or agreement between the United States and the Kansas or Kaw Tribe of Indians, or arising under or growing out of any act of Congress in relation to Indian affairs, which claims have not heretofore been determined and adjudicated on their merits by the Court of Claims or the Supreme Court of the United States: *Provided, however,* That the provision of this act shall not be construed to confer jurisdiction upon the court to hear, consider, and adjudicate any claim presented to and considered by the Kaw Commission under the provisions of section 12 of the act of Congress of July 1, 1902 (32 Stat. p. 636), saving and excepting the claim known as the surplus-land claim of the Kansas or Kaw Tribe of Indians, which said claim is expressly included in this act, and jurisdiction to consider the same is hereby conferred.

Sec. 2. Any and all claims against the United States within the purview of this act shall be forever barred unless suit be instituted or petition filed, as herein provided, in the Court of Claims within five years from the date of approval of this act, and such suit shall make the Kansas or Kaw Tribe of Indians party plaintiff, and the United States party defendant. The petition shall be verified by the attorney or attorneys employed to prosecute such claim or claims under contract with the Kansas or Kaw Tribe of Indians approved by the Commissioner of Indian Affairs and the Secretary of the Interior; and said contract shall be executed in their behalf by a committee chosen by them under the direction and approval of the Commissioner of Indian Affairs and the Secretary of the Interior. Official letters, papers, documents, and records, or certified copies thereof, may be used in evidence, and the departments of the Government shall give access to the attorney or attorneys of said Kansas or Kaw Tribe of Indians to such treaties, papers, correspondence, or records as may be needed by the attorney or attorneys of the Kansas or Kaw Tribe of Indians.

Sec. 3. In said suit the court shall also hear, examine, consider, and adjudicate any claims which the United States may have against said Kansas or Kaw Tribe of Indians, but any payment which may have been made by the United States upon any claims against the United States shall not operate as an estoppel, but may be pleaded as an offset in such suit.

Sec. 4. That from the decision of the Court of Claims in any suit prosecuted under the authority of this act, an appeal may be taken by either party as in other cases to the Supreme Court of the United States.

Sec. 5. That upon the final determination of any suit instituted under this act, the Court of Claims shall decree such amount or amounts as it may find reasonable to be paid the attorney or attorneys so employed by said Kansas or Kaw Tribe of Indians for the services and expenses of said attorneys rendered or incurred prior or

subsequent to the date of approval of this act: *Provided,* That in no case shall the aggregate amounts decreed by said Court of Claims for fees be in excess of the amount or amounts stipulated in the contract of employment, or in excess of a sum equal to 10 per cent of the amount of recovery against the United States.

Sec. 6. The Court of Claims shall have full authority by proper orders and process to bring in and make parties to such suit any or all persons deemed by it necessary or proper to the final determination of the matters in controversy.

Sec. 7. A copy of the petition shall, in such case, be served upon the Attorney General of the United States, and he, or some attorney from the Department of Justice to be designated by him, is hereby directed to appear and defend the interests of the United States in such case.

With committee amendments, as follows:

Page 3, line 4, after the word "Interior" insert "and such contract shall be executed and approved as required by section 2103-5 of the Revised Statutes of the United States."

Page 4, line 6, strike out the words "prior to."

Page 4, line 12, strike out the period and insert "and in no event shall such fees exceed the sum of \$25,000."

Page 4, line 15, after the word "persons" insert "or tribes or bands of Indians."

The SPEAKER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER. The Clerk will report the next bill.

REWARDING THE ACCOMPLISHMENT OF THE WORLD FLYERS

The next business on the Consent Calendar was the bill (H. R. 12064) to recognize and reward the accomplishment of the world flyers.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. BLANTON. I object.

Mr. HILL of Maryland. Mr. Speaker, will the gentleman withhold his objection for a moment?

Mr. BLANTON. Certainly.

Mr. HILL of Maryland. Mr. Speaker, this bill is a bill that was introduced because of what the President said in his message on December 3 last. The President said:

Progress is constantly being made in air navigation and requires encouragement and development. Army aviators have made a successful trip around the world, for which I recommend suitable recognition through provisions for promotion, compensation, and retirement.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. HILL of Maryland. Yes.

Mr. BLANTON. The President can do all that without a bill; every bit of it. Rather his officers do that every day.

Mr. HILL of Maryland. The Secretary of War thinks it can not be done. This is only a moderate recognition of the splendid services of these world flyers. I hope the gentleman from Texas will withdraw his objection.

Mr. BLANTON. Well, they already have the thanks of this Republic.

Mr. WINGO. Mr. Speaker, will the gentleman yield?

Mr. HILL of Maryland. Yes.

Mr. WINGO. If what the gentleman from Texas says is true, this would be a mere surplusage, but it would be at least a small expression on the part of Congress. If this bill does not give them anything that they are not entitled to already by law, what harm will be done by giving some recognition to these men?

Mr. McSWAIN. This bill does not give them something they are entitled to by law, but it undertakes to give the President power to do something that he is not already authorized to do.

Mr. BLANTON. If the gentleman will accept an amendment, I will not object. Will those in charge of the bill permit the bill to be voted on by the House?

Mr. HILL of Maryland. Of course, we will permit it to be voted on.

Mr. BLANTON. I withdraw my objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That the President is hereby authorized to advance Capt. Lowell Herbert Smith, Air Service, United States Army, 1,000 files on the promotion list; First Lieut. Leigh Wade, First Lieut. Leslie Philip Arnold, and First Lieut. Erick Henning Nelson, all of the Air Service, United States Army, 500 files each on the promotion

list: *Provided*, That the officers hereinbefore named be, and remain, extra numbers in their grade to be carried as extra numbers up to and including the grade of colonel: *Provided further*, That nothing in this act shall operate to interfere with or retard the promotion to which any other officer on the promotion list would be entitled under existing law.

Sec. 2. The President is hereby authorized, by and with the advice and consent of the Senate, to commission Technical Sergt. Henry Herbert Ogden, Air Service, United States Army (second lieutenant, Air Service, Officers' Reserve Corps), and John Harding, Jr., second lieutenant, Air Service, Officers' Reserve Corps, as second lieutenants, Air Service, United States Army, to be placed on the promotion list next after the second lieutenant who immediately precedes them on the date of the approval of this act: *Provided*, That nothing contained in this act shall operate to increase the total number of commissioned officers of the Regular Army of the United States now authorized by law.

Sec. 3. The President is hereby authorized to present to each of the officers of the Regular Army and Officers' Reserve Corps hereinbefore named, a distinguished-service medal, and each of them is hereby authorized to accept any medals, or decorations tendered to or bestowed upon them by foreign governments.

Mr. McSWAIN. Mr. Speaker, I offer a substitute.

Mr. BLAND. Mr. Speaker, I have an amendment to section 3 which I wish to offer.

The SPEAKER. The Chair thinks he ought to recognize the gentleman from South Carolina.

Mr. BLAND. I understand his amendment is a substitute for the whole bill. Mine is an amendment to section 3.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Virginia.

The Clerk read as follows:

Amendment offered by Mr. BLAND: Page 2, line 17, after the word "present," insert the following words: "To Maj. Frank L. Martin, Air Service, United States Army, and to Frederick Alva L. Harvey, Air Service, United States Army, and."

Mr. BLAND. Mr. Speaker and gentlemen, I desire to—

Mr. HILL of Maryland. Mr. Speaker, I make a point of order against that amendment.

Mr. BLAND. And I make a point of order that the gentleman's point comes too late. I had commenced my discussion.

The SPEAKER. The Chair never means to be very technical as to the exact time when a point of order can be made, but if the gentleman from Virginia says that he thinks the time the gentleman from Maryland was on his feet he was discussing the bill, the gentleman from Maryland was, therefore, too late, but if the gentleman from Maryland contends that he was on his feet—

Mr. HILL of Maryland. I wanted to make a point of order.

The SPEAKER. The same rule governs it.

Mr. BLAND. I will discuss it under the reservation, and then I am ready to meet the point of order.

This amendment is intended to confer recognition on Maj. Frederick L. Martin and his assistant, Sergt. Alva L. Harvey. Major Martin was in command of this expedition. He organized and planned the details of the world flight. The personnel had to be assembled, problems had to be considered, solutions of those problems had to be thought out, and adequate training had to be provided.

Major Martin personally directed the physical training of the men. He arranged for special instruction in meteorology and navigation. He assisted in the preparation of maps for the flight, and saw to it that they were accurately checked. This work was most laborious and important. The flight route was divided into six divisions. Maps of suitable scale, aggregating apparently a couple of tons, had to be studied, cut up, pasted together, marked with the necessary navigating directions, and rolled for readiness for use on each lap of the flight. This work required the closest attention of the world flyers.

The maps for the different divisions were segregated, and those for the second, third, fourth, fifth, and sixth divisions were shipped to designated places in various countries where the world fliers later picked them up. The maps for one division would ordinarily fill a box equal in size to that of a medium-sized office safe of dimensions of about 2 by 2 by 3 feet.

Each of the pilots had to familiarize himself with the experimental type of Douglas world cruiser then on hand at Langley Field. Some of the officers had never flown such a heavy type of ship. They had not been trained to fly such a heavy type with pontoons. A progressive course of training became necessary. The officers were trained to fly the planes with the maximum load of gasoline.

Upon Major Martin rested the responsibility of approving the selection of mechanics made by his assistants from the 11 mechanics from whom the choice had to be made.

After leaving Langley Field the world fliers went to Washington, where they met the Secretary of War and were presented to the President. They then proceeded to Los Angeles, where they had to await the completion of the world cruisers and to undertake the many details of flight testing and of adjusting equipment, such as compasses.

The time allowed for this purpose was short, for they left Los Angeles on March 17 and proceeded to Seattle, where the land undercarriages were exchanged for pontoons prior to the commencement of the flight over the first division. During this period, in addition to his own training and the responsibility for insuring the successful handling of all details by his associates, Major Martin was called upon to make addresses and to spend a part of his time in meeting the demands of the public.

Trouble began when in the afternoon of April 15 motor trouble forced the flagship *Seattle* down in Portage Bay. After a night spent in the plane Major Martin and Sergeant Harvey were rescued by the U. S. destroyer *Hull* and towed to Kanatak to await the coming of a new motor from the base at Dutch Harbor.

At Kanatak the *Seattle* was whipped and beaten by storms. At night, by gasoline lanterns, Sergeant Harvey changed motors, while Major Martin fought off a threatened attack of pneumonia. Working barehanded in the bitter cold, Sergeant Harvey completed his work of changing motors.

After a tractor had dragged and pushed the plane down into the harbor, Major Martin and Sergeant Harvey finally took off in the teeth of a gale, as they dared not remain any longer. They flew 250 miles to cover 110, because in the blinding snowstorm there was nothing to do but to zigzag in and out of the serrated coast, keeping in sight of land at dreadful risk, and executing turns and banks which they ordinarily would never have attempted.

They arrived in Chignik April 24. Here they were held by storms, ice forming in such quantities that 400 pounds had to be removed from the struts, fuselage, underwings, and various parts of the ship.

On April 30 the storm had abated and the flight was resumed. They followed the course which Smith, Nelson, and Wade were said to have taken successfully, but mountains intervened. Mirages of the sea appeared through the fog. The fog settled near the ground, and safety lay in surmounting the mist. This was attempted, but soon the ship struck. Examination disclosed that the plane had barely escaped the brink of a cliff. If the plane had been 10 feet lower, collision with the cliff would have been inevitable and the death of both Major Martin and Sergeant Harvey would have been certain.

A vacuum bottle containing coffee had been smashed when the plane was wrecked. The remaining food consisted of concentrated rations in two food bottles, which had escaped destruction.

The fog covered everything. Major Martin and Sergeant Harvey immediately started to find the Pacific coast, where alone succor might be expected. The fog and the snow were so blended that the air and earth were indistinguishable. Constant checking with the compass was necessary to keep them from walking in a circle. From 2 p. m. to 4 they trudged up the mountain side, which sloped about 30°. No wood or shelter could be found, and they were compelled to return to the plane.

The continuing fog forced them to spend that night and the next at the plane. Fearing the fog would never clear, they decided to retrace their old course to the top of the mountain. On one occasion they stopped for a brief rest, and were about to proceed when the fog lifted momentarily. A dozen steps would have carried them over the brink of a canyon 1,500 feet deep.

For 10 days Major Martin and Sergeant Harvey fought their way from the wilds of Alaska to the sea shore. At times they sank in snow to their waists. They subsisted on the concentrated rations which they carried and some game which they killed. They found a deserted cabin where there was some food, and for two days they were protected from a fierce storm of snow and wind and rain which would have meant certain death had it broken upon them before the cabin was reached.

How they subsisted partly on food found in the cabin and partly on the game they killed, how they fought their way back to civilization and to life, is a story which Major Martin and Sergeant Harvey alone can tell.

The indomitable courage, the intrepid will, the stubborn endurance, the determined conquest of difficulties, the unflinching spirit of these men deserve recognition. It is the same spirit which has carried this country to victory on many a hard-fought field and has made America a synonym of glorious achievement.

Representative HILL stated in the hearings that Captain Smith had said at a luncheon in Paris that the most dangerous place the world flyers experienced "was along the Alaska coast because of the jagged rocks and all that sort of thing."

I have met Major Martin, but only for a few moments. He is not a resident of my district, except in so far as he may have a temporary residence at Langley Field. I do not know the State in which he was born or where his permanent residence may be claimed. I have never met Sergeant Harvey. I am in entire accord with the proposal to recognize these world flyers, but I do feel that the services of Major Martin and Sergeant Harvey should be recognized by a grateful people.

When the Secretary of War was before the committee he had this to say:

Now these flyers were selected because of their fitness and their records. Of the seven or eight hundred officers in the Flying Service, General Patrick went over the list and he selected men whose records were good and who were fit physically, which was absolutely necessary. I recall when they were brought to my office to give me a chance to talk with them I remarked on the fine physical quality which they evidenced, and it seemed to me that they were of sufficient physical stamina and strength to go through the hardships they would have to endure. This was particularly true of the commanding officer, who was a fine man not only personally but physically. He met with misfortune, so that he does not get anything out of this.

Mr. QUIN. That was Martin?

Secretary WEEKS. That was Martin. I might say for him there was some difference in the opinion of the department whether Martin, when he got back here, ought to be sent to Europe as the head of the squadron. I did not think myself that should be done. Martin himself settled it. When he got back to the United States he said he did not think he ought to be sent back there; that the men who had made the trip without him, after his fall, should have the benefit of the service, and he expressed the hope he would not be sent over there for that reason. I say that because I think it shows the quality of the man.

Mr. SPEAKS. A fine spirit.

Secretary WEEKS. Yes.

Mr. HILL of Maryland. In view of the remarks of the gentleman from Virginia I will withdraw my reservation of the point of order and agree to the amendment. [Applause.]

Mr. BLANTON. Is there any reason why these two names should not be included?

Mr. BLAND. Absolutely none, and all I am asking is that they should be given a distinguished service medal.

Mr. HILL of Maryland. I will say to the gentleman that I will agree to the amendment.

Mr. McSWAIN. Mr. Speaker, I rise in opposition to the amendment. We must stop the rule of making flesh of one and fowl of another. The other day the gentleman from Utah, with the ex-Governor of Utah, appeared before us in favor of a bill advancing 500 files a lieutenant by the name of Maughan, who made the nonstop flight from dawn to dusk from New York to San Francisco, a most heroic and most praiseworthy achievement, but the War Department disapproved the bill. The War Department recommends that these men named in this bill—who took over 200 days to circumnavigate the globe, which is an average of just about 200 miles a day, and which a man can make in a Ford car—the War Department recommends that the men mentioned in this bill be increased in their files, that the first lieutenant in command be raised 1,000 files above his brother lieutenants, the others 500 files, and the sergeants be made second lieutenants. It is true, as has been said, that the Secretary of War can make the sergeants second lieutenants to-day if he wants to, and Congress does not have to authorize it. There are over 200 vacancies in the grade of second lieutenant in the Flying Corps of the Army to-day.

Mr. HILL of Maryland. Will the gentleman yield?

Mr. McSWAIN. Yes.

Mr. HILL of Maryland. The gentleman will recollect that the Secretary of War said there were no vacancies in the grade of second lieutenant, but plenty of vacancies in all the grades above that.

Mr. McSWAIN. My friend is seriously mistaken. It was testified the other day before the committee that there are

200 vacancies in the grade of second lieutenant right now in the Army of the United States. They keep the upper grades full.

When this bill came before us it appeared that there were five or six others who had done wonderful service in aviation, yet the War Department recommended that they should not be recognized, and that this Lieutenant Maughan, who had rendered this most commendable service, be not recognized by any advancement.

Mr. WINGO. Will the gentleman yield?

Mr. McSWAIN. Yes.

Mr. WINGO. As I understand, the gentleman protests against justice being done to one group and not done to another?

Mr. McSWAIN. Exactly.

Mr. WINGO. Let me suggest this to the gentleman: Instead of denying justice to one group because they have not given it to another, why does not the gentleman offer an amendment to take care of all?

Mr. McSWAIN. I am going to offer a substitute for the whole thing, which, I think, will do justice to all concerned. I want to give these men, who have first circumnavigated the globe, the Magellans of the air, a recognition by this Congress that will outweigh anything that this bill proposes. If the children and grandchildren of these men, who are to receive promotion over their brother officers, should ever read this bill they would not know for what cause or purpose their ancestors have been promoted. The bill does not say what these men have done, and I propose that the Congress, representing the sovereign Nation, shall thank them in the name of the people for having first circumnavigated the globe. Thanks is all France gave to Foch and Clemenceau. I want them to have the same thanks which were given to Henry M. Stanley, the same thanks that were given to Cyrus W. Field for laying the trans-Atlantic cable, and the same reward that has been given to a number of men who have accomplished things of distinction and who have made themselves eminently historic.

Now, gentlemen, these men did not volunteer. They were willing to volunteer, but it is in evidence that every man in the Aviation Service was willing and anxious to go, but these men were picked out and ordered to go; they did not volunteer. As I say, all of the men in the Aviation Service volunteered to go, but these men were picked out above their brother officers who wanted to go, and if you raise them 1,000 files and 500 files above their brother officers, their brother officers are going to be jealous, just like Major Martin, who demands recognition. He has said: "I started, but I did not finish, yet I want it." And these other fellows say, "We did not get started, but we wanted to go, and we want it."

Now, gentlemen, we have got to stop this discrimination, and I think you will agree with me that what was good for Henry M. Stanley and that what was good for Cyrus W. Field and Robert E. Peary is good enough for these men. I do not disparage the great services they rendered, and believe they should be recognized, but I want the services recommended by these men recognized, and recognized now by this Congress, and that is why I did not object to the consideration of this bill.

The SPEAKER. The time of the gentleman from South Carolina has expired. The question is on the amendment offered by the gentleman from Virginia.

The amendment was agreed to.

Mr. McSWAIN. Mr. Speaker, I offer a substitute.

The SPEAKER. The gentleman from South Carolina offers a substitute, which the Clerk will report.

The Clerk read as follows:

Substitute offered by Mr. McSWAIN: Strike out all after the enacting clause and insert the following:

"That the President is hereby authorized to award a distinguished-service medal to each: Capt. Lowell Herbert Smith, Air Service, United States Army; First Lieut. Leigh Wade, First Lieut. Leslie Philip Arnold, and First Lieut. Erick Henning Nelson, all of the Air Service, United States Army; Technical Sergt. Henry Herbert Ogden, Air Service, United States Army (second lieutenant, Air Service, Officers' Reserve Corps); and John Harding, jr., second lieutenant, Air Service, Officers' Reserve Corps"—

Mr. BLAND. Mr. Speaker, I offer as an amendment to the first section, after the word "to," insert "Major Frederick L. Martin."

Mr. McSWAIN. I have no objection to the amendment, Mr. Speaker.

Mr. SNELL. Mr. Speaker, has the entire amendment been presented?

The SPEAKER. No; the entire amendment has not been reported. The gentleman can offer his amendment then.

Mr. BLAND. My amendment is to the first section.

The SPEAKER. But the gentleman can offer his amendment after the amendment of the gentleman from South Carolina has been reported.

The Clerk continued the reading of the amendment, as follows:

SEC. 2. That the thanks of the Congress are hereby tendered to each of said persons for notable and courageous service in first circumnavigating the globe by air.

Mr. SNELL. Mr. Speaker, I reserve a point of order against this whole amendment. In the first place, I do not believe the gentleman intends to give these men individually the rights to the floor of Congress, but as long as their names are mentioned in the bill and we render them the thanks of Congress, would not that give them the privileges of the floor of Congress?

The SPEAKER. The Chair is of the opinion that anybody who is given the thanks of Congress by name is entitled to the privileges of the floor.

Mr. McSWAIN. We have the right to do it, and I am sure the gentleman from Maryland [Mr. HILL] would not object to granting them that honor.

Mr. SNELL. I do not think it would be good policy to begin recognizing the services of officers of the Army in that way—giving them the privileges of the floor.

The SPEAKER. Does the Chair understand the gentleman to raise a point of order?

Mr. SNELL. I raised a point of order to get the parliamentary situation before the House to be sure the gentleman knew the effect of the amendment.

The SPEAKER. The Chair is inclined to think at first blush the point of order is good.

Mr. SNELL. I make a point of order against the amendment.

Mr. BLANTON. Mr. Speaker, we had a kind of understanding here that we would get a vote on the amendment.

Mr. SNELL. But I am making a point of order against the amendment as it stands.

Mr. McSWAIN. Mr. Speaker, I desire to be heard on the point of order.

The SPEAKER. The Chair is not sure on the point of order and will be glad to hear the gentleman.

Mr. McSWAIN. Mr. Speaker, it seems to me the statement of the gentleman would not be proper on the point of order, but would be proper in opposition to the merits. The gentleman admits that if we enact this legislation—I do not say it would or would not give the privilege of the floor, because I am no profound or expert parliamentarian, but the gentleman admits that if we enact the legislation it would have that effect. If we can exercise a power, it is no argument on a point of order against an amendment that says we shall exercise the power. It is only a question of whether or not we wish to exercise the power.

The SPEAKER. Rule XXXIII reads:

The persons hereinafter named, and none other, shall be admitted to the Hall of the House or rooms leading thereto \* \* \* such persons as have, by name, received the thanks of Congress.

The gentleman from New York [Mr. SNELL] makes the point of order that the language is not in order on this bill. The Chair is inclined to think it would not be in order. This is a bill recognizing these services in a particular way, and the Chair does not think after consent has been given to consider the bill that then it would be in the power of the House to recognize their services in every other way the House might desire. It would be very dangerous if that were in order, because consent could be given to a bill and then it could be entirely changed in its purpose. The Chair sustains the point of order that it is not germane.

Mr. McSWAIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McSWAIN. Would it be in order for me to ask consent to amend that paragraph by inserting the word "commendation" instead of "thanks," so as to avoid the difficulty of the rule?

Mr. SNELL. That means the same thing.

Mr. McSWAIN. While it means the same thing, it would not give them the privileges of the floor.

The SPEAKER. It seems to the Chair that would be subject to a point of order that it was not germane just the same, although no one might care to make it. It seems to the Chair the House would be adopting a different method of rewarding them from the method in the original bill.

Mr. McSWAIN. As I understand it, Mr. Speaker, the point of order goes to the second section of the proposed amendment,

and that still leaves the proposition before the House to award each of these gentlemen a distinguished service medal.

The SPEAKER. Certainly.

Mr. HILL of Maryland. Mr. Speaker, I make the point of order that the bill already provides for that, and therefore the amendment does not add anything to the bill.

The SPEAKER. That is a matter for the House to consider, but does not make it out of order.

Mr. COLTON. Mr. Speaker, I offer an amendment to the last paragraph of the bill.

The SPEAKER. The last paragraph of the bill or of the amendment of the gentleman from South Carolina?

Mr. COLTON. To the bill.

The SPEAKER. There is now pending an amendment.

Mr. COLTON. Then I offer it as an amendment to the amendment. I offer the amendment I have sent to the desk.

Mr. McKEOWN. Has the Chair ruled upon the point of order?

The SPEAKER. The Chair sustains the point of order.

Mr. McKEOWN. A parliamentary inquiry. Is it not a fact that the provision granting a medal is the part that gives the recipient the right to the floor?

The SPEAKER. No; it is the one giving the thanks of Congress. The gentleman could have made a point of order against the whole amendment.

Mr. WINGO. I understood that the amendment was offered to the whole, and some of us around here did not know what the effect of the Speaker's ruling was when a part of it was ruled out of order.

The SPEAKER. The Chair understood the gentleman from New York to make a point of order against that part of it, and that would not make the entire amendment invalid.

Mr. SNELL. I only had in mind that part of it which relates to the thanks of Congress.

The SPEAKER. That is the way the Chair understood it.

Mr. SNELL. I think the rest of it is out of order, but I did not make the point of order against it.

The SPEAKER. The amendment before the House is the amendment offered by the gentleman from South Carolina, and modified by the point of order, and then the gentleman from Utah offers an amendment.

Mr. HILL of Maryland. May we have the amendment again reported?

The SPEAKER. The Clerk will report the amendment offered by the gentleman from South Carolina.

The amendment was again reported.

Mr. HILL of Maryland. Mr. Speaker, I make the point of order against that for the reason that here are two mechanical sergeants who by the bill are made second lieutenants.

Mr. BLANTON. Mr. Speaker, I make the point of order that the point of order made by the gentleman from Maryland comes too late. There has been argument and an amendment offered.

The SPEAKER. The Chair thinks the point of order comes too late.

Mr. BLAND. Mr. Speaker, this amendment is offered on the assumption that my amendments have been agreed to.

The SPEAKER. The House should understand the parliamentary situation. The amendments of the gentleman from Virginia were offered and were adopted. Now, if the amendment of the gentleman from South Carolina should be voted down the amendments of the gentleman from Virginia would be a part of the bill. If this amendment is adopted, it is a substitute for the bill as amended by the gentleman from Virginia.

Mr. BLAND. I want to save myself both ways. I want to amend the substitute.

The SPEAKER. The gentleman will have that opportunity after the amendment of the gentleman from Utah has been disposed of.

Mr. COLTON. Will I be permitted to offer my amendment if the substitute offered by the gentleman from South Carolina is voted down?

The SPEAKER. Certainly. The bill would then be before the House for amendment.

Mr. COLTON. Then I am willing to withhold my amendment until that is disposed of.

Mr. BLAND. Mr. Speaker, I offer the following amendment to the substitute.

The Clerk read as follows:

Amendment by Mr. BLAND to the substitute offered by Mr. McSWAIN: After the word "two," page 1, line 3, insert "Maj. Frederick L. Martin, United States Army Air Service, and to."

Mr. JEFFERS. May I make an inquiry? Is the gentleman from Virginia going to offer another amendment?

Mr. BLAND. I am going to offer one for the sergeant next.

The SPEAKER. The question is on the amendment offered by the gentleman from Virginia.

The amendment was agreed to.

Mr. BLAND. Now I offer another amendment.

The Clerk read as follows:

Amendment offered by Mr. BLAND to the substitute offered by Mr. McSWAIN: Page 2, line 6, before the words "technical sergeant," insert "and to Sergt. Alva L. Harvey, United States Army Air Service."

The amendment was agreed to.

Mr. COLTON. Mr. Speaker, I now offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. COLTON: After the word "Harvey" in the Bland amendment insert: "and that the President is hereby authorized to advance First Lieut. Russell L. Maughan, Air Service, United States Army, 500 files on the lineal list for promotion: *Provided*, That the officer hereinbefore named be and remain extra number in his grade, to be carried as extra number up to and including the grade of colonel: *Provided further*, That nothing in this act shall operate to interfere with or retard the promotion to which any other officer on the promotion list would be entitled under existing law.

"The President is hereby authorized to present to the said Russell L. Maughan hereinbefore named a distinguished-service medal."

Mr. COLTON. Mr. Speaker, I ask unanimous consent to modify my amendment by just inserting the name.

The SPEAKER. The gentleman from Utah asks unanimous consent to modify his amendment by inserting the name following the other name. Is there objection?

Mr. BLAND. Mr. Speaker, reserving the right to object, the gentleman inserted that immediately after the word "Harvey." There were certain descriptive words after the word "Harvey," so that it should come after the word "service."

Mr. COLTON. I ask unanimous consent that it may be inserted after the word "service."

The SPEAKER. Without objection, the amendment will be withdrawn and will be inserted as suggested. Is there objection?

There was no objection.

Mr. HILL of Maryland. Mr. Speaker, may we now have the amendment reported?

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows

Amendment offered by Mr. COLTON: After the word "Army" in the Bland amendment insert the words "Lieut. Russell L. Maughan, Air Service, United States Army."

The SPEAKER. The question is on agreeing to the amendment.

Mr. SWING. Mr. Speaker, I desire to oppose the amendment.

Mr. COLTON. Mr. Speaker, if there is to be debate I would like to speak in favor of the amendment.

The SPEAKER. The gentleman will be recognized after the gentleman from California.

Mr. SWING. Mr. Speaker, let us see just where we are going to arrive with this bill "to recognize and reward the accomplishments of the world flyers" if we start adopting these amendments. If the House agrees to this amendment I am going to offer an amendment to add the names of Lieut. John A. Macready and Lieut. Oakley G. Kelly, who flew from New York to San Diego without stopping in 21 hours. I would like also to add the names of the Navy lieutenants who flew across the Atlantic Ocean. Each of these was in its time and day, and still is for that matter, outstanding accomplishments worthy of commendation.

Mr. LAGUARDIA. Mr. Speaker, will the gentleman yield?

Mr. SWING. In a moment. I shall support the proposal contained in this amendment if it is brought in separately, but I do not think that we ought to make a catch basket out of this bill, which makes recognition of the act of circumnavigating the globe through the air with which there is nothing to compare except Magellan's trip around the world in the early days.

Mr. BROWNING. Mr. Speaker, will the gentleman yield?

Mr. SWING. Just as soon as I get through with my statement. This bill is one of the most popular proposals ever made in this House. I received many letters asking me to introduce a similar bill before this came up. It is not only sentiment, but it is in accord with good national policy. Aviation to-day is in the throes of development and it is entirely appropriate to recognize these outstanding accomplishments in some way as a stimulus to greater accomplishment. This has the approval of

the public, it has the approval of the War Department, and it is in accord with best public policy to encourage by suitable reward daring and spectacular acts of this kind. But I do not want to see a hodgepodge made of it with a dozen different items included. Let us take care of these world flyers now and take care of those other men in an orderly way when their cases are brought up. I shall then be very glad to support each of those mentioned on the floor here to-night.

Mr. COLTON. Mr. Speaker and gentlemen, the bill under consideration is intended to reward the world flyers. At the outset I want it understood that I am heartily in favor of this measure. It will, at least, offer some real constructive evidence of our appreciation of the work done by these wonderful venturesome spirits who carry on in the great field of navigating the air. I believe we ought to reward at this time the men named in this bill, and who are unquestionably outstanding figures in the great science of air navigation. Indeed, I believe the exploits of these men are much ahead of their time. The records that have been made will stand for a long time as outstanding accomplishments to their credit. More than anything else it has taught us what can be done.

I want to-night to speak of the accomplishments and plead for the reward of a man who, up until that time at least, performed the greatest outstanding feat of air navigation. I believe we ought to reward him and do it now. I speak of Lieut. Russell L. Maughan.

Mr. WATKINS. And if we do not do it to-night the chances are that we will not do it at all. Is not that correct?

Mr. COLTON. Yes; it will at least be too long delayed.

Mr. BROWNING. Does the gentleman realize that the amendment as drawn now gives this man credit for circumnavigating the globe?

Mr. COLTON. No; the amendment when completed will not do that.

Mr. BLANTON. But the gentleman ought to amend his amendment to show what this man did.

Mr. COLTON. I shall do that.

It has been called to my attention that American aviators lead all countries in the possession of world aviation records. They have more than half of such records to their credit. These records cover all ranges of activities, including speed, duration, and altitude flights. We want them to continue to hold these records and to demonstrate the position of the United States by feats of courage and skill such as have marked the careers of the men whose names appear in this bill. Great Britain and other countries follow a policy of rewarding their flyers of outstanding ability, and these men by their great accomplishments have demonstrated their courage and ability. It is therefore only fitting tribute that the thanks of this Republic should go out to them in the form of this pending measure.

In offering the amendment just sent to the Clerk's desk I have no thought of entering the gates of renown by the light of another's glory. The record of Lieut. Russell L. Maughan needs no such embellishment. You can not add luster to a star. My sole purpose is to have all of these heroic figures recognized before the closing of this session. Unless this is done they will at least be delayed, and possibly barred altogether from receiving the reward they so richly merit.

To get the proper perspective view before you please go with me to the early days of the World War; in fact, to the day of its declaration. You will find this young lieutenant resigning a commission in the Infantry to take up the more hazardous tasks of the air. Air navigation is only a few years old, but this untrained youth, with a spirit of service which has characterized his whole career, was soon found in the battle fronts in France. He came of pioneer stock. There was in his blood the spirit of adventure and undaunted courage. Failure was not in his vocabulary. He was soon able to fly every known kind of airship available to the Air Service. Plane after plane of the enemy aircraft went down before the unerring skill of this daring pilot.

May I call your special attention to a daring feat performed one bleak day in October, 1918? This Yankee pilot rode high in the heavens over the battle fields at Sommerance, France. His accomplishments are told in a few sentences in a book issued by the War Department giving the names of the men who have received the congressional medal of honor, the distinguished-service cross, and the distinguished-service medal:

Accompanied by two other planes, Lieutenant Maughan was patrolling our lines when he saw slightly below him an enemy plane (Fokker type). When he started an attack upon it he was attacked from behind by four more of the enemy. By several well-directed shots he sent one of his opponents to the earth, and, although the forces of the enemy were again increased by seven planes, he so skillfully

maneuvered that he was able to escape toward his lines. While returning he attacked and brought down an enemy plane which was diving on our trenches.

Lieutenant Maughan has been decorated by the Government of France with the *croix de guerre*.

After peace was declared we find this daring aviator seeking new opportunities for service in his country. When the United States Government, in 1919, essayed to cross the continent by airplane, Lieutenant Maughan was selected to try the then questionable feat in what is known as a "spad." That it took these pioneers of the air a good many days to complete the trip, many falling by the wayside, is of little consequence at this time. The outstanding point is they succeeded. Maughan's next notable achievement was when he was selected to represent the United States Army in the world's speed contest, and was returned the winner of the Pulitzer race held in Detroit, Mich., with an average speed of 205.8 miles per hour. Lieutenant Maughan has held four official world speed records, namely, 100 kilometers, 200 kilometers, 250 kilometers, and 1 kilometer straightaway. In making this last record he averaged 236.5 miles per hour, bringing back to the United States the world speed record.

Gentlemen, why are men selected for these Herculean tasks? Surely it is not due entirely to chance. It is done because of their eminent fitness. Lieutenant Maughan brought to the United States the world speed record by traveling in a new type of plane, flying at the rate of 236.5 miles per hour. I would have you know that this almost unbelievable speed of over 400 feet a second is twice the speed a cannon ball traveled from the best guns used during the Civil War.

With that insatiable yearning for more fields to conquer Lieutenant Maughan in 1922 began laying plans to span the continent by the light of a single day. Two previous efforts failed, but not until the doughty lieutenant had put up a fight against overwhelming odds. It was thought until this time an impossibility to perfect a machine that would stand up under the terrific punishment of crossing the continent in a single day, but on June 23, 1924, Lieutenant Maughan saw his dream come true when he flew within the daylight hours between New York and San Francisco. The world stood aghast at the boldness of the plan and its successful termination. Lieutenant Maughan made that wonderful flight from dawn to dusk under very adverse circumstances. He braved the dangers of that day without food. He was unable to retain food during the entire trip. At times he was compelled to fly as low as 30 feet over the ground. Passing over the Great Salt Lake in my State he went even as low as 10 feet above the water. Secretary Weeks said that this performance was up to that time undoubtedly the world's greatest flying achievement. It was filled with danger, and it took strength almost superhuman. I believe if we do not recognize and reward him now, as has been suggested, we may not do it at all. I am in favor of rewarding all our heroes. If, as the gentleman from California suggests, there are others, let us reward them. Other nations do it, and why should America be so slow and so parsimonious in bestowing favors upon men who have established world-wide records and reputations? [Applause.]

The pages of American history will never be so full but that there will be room for a chapter on this marvelous accomplishment. When you contemplate that only a few years ago it was lauded as a great accomplishment when Wright succeeded in staying in the air one minute, and this daring American, sitting at the throttle of a powerful motor for 21 hours, actually crossed the continent in one day, it is little short of marvelous. Why should we not reward these heroic men who have made these things possible? The gruelling details of that flight will never be fully understood. Lieutenant Maughan, with the inherent modesty and humility which has always characterized his life, and which characterizes the lives of so many of these heroes, quietly went back to his work at Kelly Field, Tex., teaching young men to fly. The plaudits of the multitude were scarcely noted by him; in fact we are living in an age when men soon forget great deeds. Gentlemen, let us not fall into that habit altogether. We whose solemn duty and high privilege it is to speak for the American people should listen to the voice of the Nation and provide some recognition for these men now. The whole people of the United States will applaud if we do so. If we pass this bill the people will not forget the invaluable services these men have rendered in pioneering the way for this new and great arm for the national defense of our Government. Great not only as a means of defense but great also in times of peace.

May I call your attention for a moment to the scene on that June day in 1924? I would take your mind especially to that early morning at Mitchel Field on Long Island, N. Y., when

a lone pilot climbed into the cockpit of his ship which was lightly constructed and easily tossed by varying winds and air currents. His ship carried nothing but a New York newspaper with a message addressed to the mayor of San Francisco; 167 gallons of gasoline and this intrepid pilot. No more heroic figure ever took to the air than this lone man, silhouetted against the sky line of New York, circling the city, turned westward to begin a battle with the rain, fog, winds, fatigue, and the setting sun. He was starting out on a scientific mission for the United States Government. It was no stunt flight. It was an effort to determine just how much a man and a machine could endure, and in case of war to find out just how quickly aircraft could be shifted from coast to coast. The battle was on from the moment he dove in sight of the mist-covered crest of the Alleghanies. It never ended during all the succeeding 21 hours until he shot down through the dense fog at San Francisco.

Breakfast time finds him having covered the first lap of 580 miles. Landing at Dayton, Ohio, for another 167 gallons of gasoline, there was nourishment for the pulsing motor but none for its daring driver. The merciless winds which buffeted his light craft had taken as toll all appetite for food. Added to this was the deplorable bungling of a mechanic who attempted to tighten a small nut with a large wrench and twisted off a portion of the ship's frame. During the one hour of precious time required to repair this break, Lieutenant Maughan, with customary patience, stood by. When finally he took off again it was with clock-like precision that this human meteor sped past the cities and the towns of Ohio, Indiana, Illinois, and Missouri, landing at lunch time at St. Joseph, Mo. Taking the air again, he started out on the next hop to Cheyenne, Wyo.

The motor had been fed, but again nature rebelled at the thought of nourishment for the pilot. Terrific head winds slowed him down, until he made a forced landing at North Platte, Nebr., for more gas. A 15-minute stop and he is again in the air, crowding his motor to make up lost time. At Cheyenne, Wyo., telegraph wires flashed to a waiting world the information that he had made a graceful landing and ship and man were holding up. Had that press correspondent been able to penetrate behind the mask of this iron man he would have seen the conflict that was going on inside of a body racked with the nausea of sea-sickness; nerves tortured with the ceaseless roar of a 400-horsepower Liberty motor, with its exhausts pounding wide open in his ears; aching limbs that had for 2,000 miles held taut to the sensitive controls of the ship. Seated erect on the hard and comfortless pack of the parachute, this determined man waved a farewell to the assembled throng and headed again westward to scale the crags and canyons of the Rocky Mountains. Tail winds, head winds, cross winds combined to wreck the fortunes of this pioneer. But with the sagacity and prudence which has made him a world figure in aviation, he changed his course and, following down a mountain canyon, lowered his ship to within 20 to 30 feet of the ground and held it there at the terrific speed of nearly 200 miles per hour.

The waiting throngs in Utah, who for hours had gazed skyward to welcome their favorite son, were rewarded by seeing a speck shoot from the canyon to the eastward and be lost in the red glare of the setting sun over Great Salt Lake. This glowing orb was the enemy he had fought all day. From it he had wrested three hours of time, and now with a last stop for fuel at Salduro, Utah, he takes off on the last lap of his long journey. The shades of night are setting before he crosses the treacherous Sierra Nevada Mountains. With nerves like the steel in his throbbing motor and with nothing to guide him but the compass he urges the ship on for its last test. It was little more than intuition which finally told him he must be hovering over San Francisco. The fog was so dense that the seven and one-half billion candlepower light at Crissy Field was not discernible. Finally a faint glimpse of the revolving light on the prison wall of Alcatraz Island is seen, and Maughan shoots down through the fog to be greeted by one of the most enthusiastic gatherings of Americans ever assembled. The work was over—the undertaking was a success, and the whole world paid homage to the daring and skill of American aviation. Only the tired man in the cockpit knew the price that had been paid for these fresh laurels for the American Army. Outwardly smiling and serene, he was led away by Colonel Gilmore, and with the roar of the motor and the cheers of the throngs still in his ears, he thought of the message in his hand from President Coolidge reading:

In the name of the American people I thank you. We are proud of you.

He demonstrated that American manhood put to the test never fails. Let us not be ungrateful to-night, nor slow in rewarding this great achievement. [Applause.]

The SPEAKER. The time of the gentleman from Utah has expired.

Mr. SNELL. Mr. Speaker, I desire to move to strike out the last word. Mr. Speaker, I have no objection to recognizing some of these men whose cases have been considered by the Committee on Military Affairs. But with the condition in which this bill is here presented no man in this House knows what it does, and I do not think we ought to pass legislation in that way. I think this bill should be recommitted to the committee and let them fix it and bring it in here, but in the way in which it is now there is no man on the floor of the House who can tell what this bill does, and I doubt whether the reading clerks can tell. It has been amended in so many ways I do not think this bill ought to be passed in this shape.

Mr. McSWAIN. Will the gentleman yield?

Mr. SNELL. I do.

Mr. McSWAIN. I want to assure the gentleman from New York that I was entirely sincere in what I said—

Mr. SNELL. I am sure the gentleman was.

Mr. McSWAIN. I think this Congress ought to make recognition, and if it goes back—I am sure my friend from Maryland will bear me out in this—that I cooperated in bringing this bill out. I have not objected, and I do not object, and I think we will be back in three days with a bill.

Mr. SNELL. The way the bill is now, I do not think the gentleman or any other man on this floor knows what it means.

Mr. McSWAIN. I want to say I think the gentleman is right.

Mr. HILL of Maryland. Mr. Speaker, I ask recognition in opposition to the pro forma amendment of the gentleman from New York. Mr. Speaker and gentlemen, the situation is this: We had great difficulty in the Committee on Military Affairs in attempting to find some suitable reward for these men. There is nobody on the Committee on Military Affairs who wishes in any way to take away or derogate the splendid work done by the men whose names have been perpetuated in the various amendments to the McSwain amendment. But, gentlemen, if you propose to recognize the world flyers in this session of Congress there is only one way to do it. If you recommit this bill, you will not get any chance in this Congress, because I know the difficulties of preparing a bill which will meet with the report of the Committee on Military Affairs.

The President recommended the men who made this world flight for award. On behalf of the committee I have accepted the amendment of the gentleman from Virginia [Mr. BLAND] to recognize Major Martin. Now, gentlemen, if you adopt the substitute which has been offered by Mr. McSWAIN, who is sincerely in favor of recognition of the world flyers—if you adopt that amendment, you may reward very worthy men, but you will not carry out the purpose of the President as recommended by the Military Affairs Committee.

Mr. BLANTON. Will the gentleman yield?

Mr. HILL of Maryland. In just a minute—so therefore when you come to vote, vote down the McSwain amendment and vote for the bill as reported.

Mr. BLANTON. I want to say to the gentleman from Baltimore that if you pass this bill I was going to offer an amendment to recognize the rider of the great white charger of Baltimore.

Mr. HILL of Maryland. I thank the gentleman, but I would make that the subject of a special bill.

Mr. JEFFERS. Did I understand the gentleman to say that he is willing to accept the Colton amendment?

Mr. HILL of Maryland. I said the amendment of the gentleman from Virginia [Mr. BLAND].

Mr. JEFFERS. How about McCready and his associates?

Mr. HILL of Maryland. I will say to the gentleman from Alabama that the committee did not consider anyone except those mentioned in the bill and Major Martin. So I ask, gentlemen, to vote down the McSwain amendment and at least give some recognition to those men who have been so well termed the Magellans of the air. [Cries of "Vote!"]

The SPEAKER. The question is on the amendment offered by the gentleman from Utah.

The question was taken, and the Speaker announced the noes seemed to have it.

On a division (demanded by Mr. COLTON) there were—ayes 17, noes 43.

So the amendment was rejected.

Mr. McKEOWN. Mr. Speaker, I offer an amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. McKeown. Page 1, line 7, after the word "Nelson" insert "In recognition of their accomplishment in the circumnavigation of the globe by airplane."

The question was taken, and the amendment was agreed to.

The SPEAKER. The question now comes upon the amendment offered by the gentleman from South Carolina [Mr. McSWAIN] in the nature of a substitute.

The question was taken, and the Speaker announced the noes seemed to have it.

On a division (demanded by Mr. McSWAIN) there were—ayes 26, noes 29.

So the amendment was rejected.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and it was read the third time.

Mr. BLANTON. Mr. Speaker, I move to recommit the bill to the committee.

The SPEAKER. The gentleman from Texas moves to recommit the bill to the committee. The question is on agreeing to that motion.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. BLANTON. A division, Mr. Speaker.

The SPEAKER. The gentleman from Texas demands a division.

The House divided; and there were—ayes 24, noes 46.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill. The question was taken, and the bill was passed.

The SPEAKER. The Clerk will report the next bill.

#### RELIEF OF HOMELESS INDIANS IN CALIFORNIA

The next business on the Consent Calendar was the bill (S. 4015) to authorize the Secretary of the Interior to sell to the city of Los Angeles certain lands in California heretofore purchased by the Government for the relief of homeless Indians.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. SWING. Mr. Speaker, this land is in my district, and I ask unanimous consent that the bill be passed over without prejudice until I can have opportunity to look into it.

The SPEAKER. The gentleman from California asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the next bill.

#### BRIDGE ACROSS THE WHITE RIVER, ARK.

The next business on the Consent Calendar was the bill (H. R. 11703) granting the consent of Congress to G. B. Deane, of St. Charles, Ark., to construct, maintain, and operate a bridge across the White River, at or near the city of St. Charles, in the County of Arkansas, in the State of Arkansas.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.*, That the consent of Congress is hereby granted to G. B. Deane, of St. Charles, Ark., and his successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the White River at a point suitable to the interests of navigation at or near the city of St. Charles, in the county of Arkansas, in the State of Arkansas, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With committee amendments, as follows:

After line 2, page 2, insert:

"Sec. 2. That the State of Arkansas, or any political subdivision or division thereof, within or adjoining which said bridge is located, may at any time, by agreement or by condemnation in accordance with the laws of said State, acquire all right, title, and interest in said bridge and the approaches thereto constructed under authority of this act, for the purpose of maintaining and operating such bridge as a free bridge by the payment to the owners of the reasonable value

thereof, not to exceed in any event the construction cost thereof: *Provided*, That the said State or political subdivision or division thereof may operate such bridge as a toll bridge not to exceed five years from date of acquisition thereof."

Page 2, line 15, strike out the figure "2" and insert the figure "3."

The SPEAKER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER. The Clerk will report the next bill.

#### CLAIMS OF SIOUX INDIANS FOR LOST HORSES

The next business on the Consent Calendar was the bill (H. R. 12005) authorizing an appropriation for the payment of certain claims due certain members of the Sioux Nation for damages occasioned by the destruction of their horses.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. SNELL. Mr. Speaker, I think we ought to have a little information in regard to this.

Mr. WILLIAMSON. Mr. Speaker, I desire to say to the gentleman that this bill embraces a lot of old Indian claims. During 1895, 1896, and 1897 there was a large number of Indian horses killed on the Cheyenne and Standing Rock Indian Reservations in the belief that they had glanders. Afterwards the Secretary of Agriculture and the War Department sent out veterinarians to examine these horses. They found that none of the horses killed were afflicted with glanders. There were killed, all told, 460 horses. Those suffering the heaviest losses were given permission to sue in the Court of Claims and have proven up their claims and have been paid, but there are a large number of Indians who lost two or three ponies each who have never been paid. We passed a law on June 7, 1924, authorizing the Secretary of the Interior to investigate these small claims and report to Congress. This report sets out all the facts necessary to a clear understanding of the issues involved with respect to these claims and is an effort to finally dispose of these old claims by a fair and reasonable settlement.

Mr. SNELL. And each man's name is contained in the report?

Mr. WILLIAMSON. Yes; and this bill authorizes the payment of these claims to the people enumerated in the report and for the amounts found to be due by the Secretary of the Interior.

Mr. HUDSPETH. What is the amount involved in the bill?

Mr. WILLIAMSON. Some \$15,345.

Mr. HUDSPETH. If the gentleman wishes to pass his bill this evening, he should permit some gentleman on this side to ask him some questions. I suppose the gentleman is still in haste to pass this bill?

Mr. WILLIAMSON. There was a long discussion of the matter the gentleman refers to, and the bill discussed was passed.

Mr. HUDSPETH. But a very short discussion when gentlemen have been seeking information in regard to the matter; but I shall not object.

Mr. McSWAIN. Mr. Speaker, I would like to ask by what means were these horses of these Indians destroyed?

Mr. WILLIAMSON. They were destroyed at the instance of the Department of the Interior on the theory that they had glanders. They were shot and killed. Afterwards they were reexamined by the experts of the Department of Agriculture and the War Department and it was found that none of them had glanders.

Mr. SUMNERS of Texas. How was the price determined?

Mr. WILLIAMSON. Agents from the Department of the Indian Bureau were sent out to investigate and determine the price. None of the horses were valued at more than \$15 to \$20, I believe.

Mr. SUMNERS of Texas. How long ago was this?

Mr. WILLIAMSON. About 30 years ago. These Indians have been pressing these claims ever since.

Mr. SUMNERS of Texas. You may be legislating them out of a job. [Laughter.]

Mr. BLANTON. Reserving the right to object, Mr. Speaker, would the gentleman mind giving a little further explanation of this bill? These horses that the gentleman is having the Government pay for were lost long ago, were they not?

Mr. WILLIAMSON. Yes; about 30 years ago.

Mr. BLANTON. Why were they not paid for?

Mr. WILLIAMSON. Because they were owned by Indians who had no means of securing redress except through Congress. There was not enough involved for each Indian to

justify his going to the Court of Claims. The claims of one of the largest owners were settled some years ago for \$29,500, but those Indians who lost two or three ponies each have never received any payment for them. Direct action by Congress is the only means available to them. They are the helpless remnant who had their horses wrongfully killed by the Government. I submit that in all fairness they ought to be paid. The proof is conclusive, as established by the Department of the Interior, that the horses killed never were afflicted with glanders and the Government had no more right to kill them than the uninfected stock of a white man. I hope the gentleman will not object.

Mr. BLANTON. I will state to the gentleman that I have white men all over my district who lost horses 30 years ago, but they have never been paid for them. Mr. Speaker, I object.

#### MEASUREMENT OF VESSELS USING THE PANAMA CANAL

The next business on the Consent Calendar was the bill (H. R. 7762) to provide for the method of measurement of vessels using the Panama Canal.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. WINGO. Mr. Speaker, I would like to have some one explain the necessity of this bill.

Mr. HOCH. This bill grows out of an interpretation of the Panama Canal act which was never intended by the framers of the act and which has caused continued inconvenience and expense to the Government since the Panama Canal was opened for traffic. I will be glad to make a rather full explanation of the bill if the gentleman wants it.

Mr. WINGO. No; that is not necessary. All I want to know is the necessity for the bill. What are you trying to do by this bill?

Mr. HOCH. On account of a certain interpretation of the original Panama Canal act it was found necessary to measure ships under two different sets of rules. That was never intended, and the situation has been ever since the canal was opened that they started in to measure ships seeking passage through the canal for the purpose of figuring the tolls under what is known as the Panama Canal rules.

Mr. WINGO. Just answer this; This will make it simpler for the Government in the administration of the canal?

Mr. HOCH. Absolutely.

Mr. WINGO. And will cause no loss in revenue?

Mr. HOCH. No; and it has been urged by every governor and every President since the canal was opened.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the sentence of section 5 of the Panama Canal act, as amended, which reads "If the tolls shall not be based upon net registered tonnage, they shall not exceed the equivalent of \$1.25 per net registered ton as nearly as the same may be determined, nor be less than the equivalent of 75 cents per net registered ton" is amended to read as follows: "If the tolls are not based upon net registered tonnage, they shall not exceed the equivalent, as nearly as may be determined, of \$1.25 per net ton (determined in accordance with the 'Rules for the Measurement of Vessels for the Panama Canal,' prescribed by a proclamation by the President, November 21, 1913, as amended from time to time), nor be less than the equivalent, as nearly as may be determined, (a) of 75 cents per net ton (determined in accordance with such rules, as amended from time to time) in the case of vessels not in ballast, or (b) of 60 cents per net ton (determined in accordance with such rules, as amended from time to time) in the case of vessels in ballast."

SEC. 2. In the determination of tonnage in connection with the prescribing of tolls under section 5 of the Panama Canal act, as amended, space upon an open deck not permanently covered or closed in (determined in accordance with such rules, as amended from time to time) and space exempted under either paragraph (a) or (b) of section 1 of Article IV of such rules shall not be included, even though any such space is occupied.

SEC. 3. This act shall take effect on the first day of the eighth month following the month in which it is enacted.

With the following committee amendments:

Page 1, line 8, strike out the figures "75" and insert the words "one dollar and twenty-five cents."

Page 1, line 8, strike out the figures "75" and insert the words "seventy-five."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read a third time, and passed.

## RETIREMENT OF CAPTAINS IN THE NAVY

The next business on the Consent Calendar was the bill (H. R. 11755) limiting the provisions of the act of August 29, 1916, relating to the retirement of captains in the Navy.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the provisions of the act of August 29, 1916, which forbid promotion of a captain in the United States Navy who is more than 56 years of age and compel his retirement at that age shall not apply prior to December 31, 1928, in the case of any captain who was commended by the Navy Department for efficient and courageous performance of duty in combat with the enemy during the World War.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That in recognition of his gallant and conspicuous service in bringing the United States ship *Mount Vernon* safely into port after that vessel was torpedoed on September 5, 1918, Capt. Douglas E. Dismukes, United States Navy, when retired in accordance with the provisions of existing law, shall be placed upon the retired list with the rank of rear admiral and with the retired pay of the lower half of that rank."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended.

## SPECIAL CANCELING STAMPS

The next business on the Consent Calendar was the bill (H. R. 11636) authorizing and directing the Postmaster General to grant permission to use special canceling stamps or postmarking dies in the Chicago post office.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. BLANTON. Mr. Speaker, reserving the right to object, I want to ask the gentleman from Illinois a question. I want to state to the gentleman from Illinois that until recently, when counties or subdivisions of States, even a whole half of a State, have had a fair the Postmaster General has been permitting them to have canceling stamps for their fairs.

Mr. SPROUL of Illinois. He has that authority now.

Mr. BLANTON. But he does not affirmatively exercise it.

Mr. SPROUL of Illinois. No.

Mr. BLANTON. He has stopped them from using such canceling stamps to advertise these fairs.

Mr. SPROUL of Illinois. The first time was last year.

Mr. BLANTON. I know he stopped them last year and some year before last. If Chicago can have a special stamp, why can not the West Texas Fair at Abilene have one?

Mr. SPROUL of Illinois. Will the gentleman yield right there?

Mr. BLANTON. Certainly.

Mr. SPROUL of Illinois. This is not for Chicago; it is for the entire country; it is international in scope; it takes in Canada and all of Europe and every State in the Union.

Mr. BLANTON. But it is in and for Chicago, after all, is it not?

Mr. SPROUL of Illinois. No; it is not. It is for the international livestock organization that has officers all over the country.

Mr. BLANTON. But it is handled in Chicago, is it not?

Mr. SPROUL of Illinois. Yes; it is handled in Chicago.

Mr. BLANTON. West Texas holds a great fair at Abilene, Tex., every year and several other counties in Texas hold them, and when they seek the little privilege of having just such a stamp for their fairs it is denied, when they should have that privilege, because their fairs are just as important to the individuals there as this fair is important to the individuals in Chicago. The men all over west Texas ship their cattle to Chicago, and they have made Chicago by sending their cattle there.

Mr. SPROUL of Illinois. I will say to the gentleman that if he will introduce a bill giving west Texas, or any other State in the Union, the same privilege I am asking for in this bill, it will be sent to the Committee on the Post Offices and Post Roads and I will try to see that it is reported.

Mr. BLANTON. If I were to offer an amendment permitting these fairs over Texas to have these canceling stamps the gentleman would be the first man on the floor to make a point of order against it.

Mr. SPROUL of Illinois. No; I certainly would not, I will say to my friend.

Mr. BLANTON. Will the gentleman help us to get that kind of an amendment adopted?

Mr. SPROUL of Illinois. No; I do not think this bill should be amended, but I say to the gentleman from Texas that if he will introduce such a bill it will no doubt be referred to the Committee on the Post Office and Post Roads, of which I am a member, and I will try to bring it out.

Mr. BLANTON. When is this celebration?

Mr. SPROUL of Illinois. In November of every year; from the 28th of November to the 5th of December.

Mr. BLANTON. The gentleman knows he is a personal friend of mine and I am in a position where I can not object, but somebody ought to object.

Mr. SPROUL of Illinois. I do not think any man ought to object.

Mr. WATKINS. Will the gentleman yield?

Mr. SPROUL of Illinois. Yes.

Mr. WATKINS. As a matter of fact, the Postmaster General now has this authority, and the object of this bill is to direct him to use it.

Mr. SPROUL of Illinois. Yes; direct him to use that authority which he refused to do last year.

Mr. WATKINS. And which he has refused to do all over the country.

Mr. SPROUL of Illinois. I presume so.

Mr. WATKINS. And this bill is simply to direct him to use that authority because heretofore he has not done so.

Mr. SPROUL of Illinois. That is all.

Mr. HUDSPETH. Mr. Speaker, reserving the right to object—and I shall not object, because I do not want to interfere with the gentleman's bill—we have an international fair at my home city; would the gentleman object to a little innocent amendment—

Mr. SPROUL of Illinois. I do not think this bill should be amended, but I am very willing, if the gentleman desires—

Mr. HUDSPETH. Would the gentleman object to including the international exposition held at my home city, which is an international fair of the United States and Mexico?

I want to state candidly to the gentleman I do not see very much opportunity at this late date of getting a bill through in any other way. Heretofore the Postmaster General has exercised his authority and has permitted these stencils to be used, but in the last few months he has refrained from doing so. Does the gentleman think a bill could be introduced at this late date and be acted upon by his committee?

Mr. SPROUL of Illinois. I rather think it could.

Mr. HUDSPETH. I shall not play the dog in the manger and object to the gentleman's bill.

Mr. SPROUL of Illinois. An identical bill to this has already been passed by the Senate. I think it was passed by the Senate to-day. I am not a stockman, but I believe giving them the privilege of using these cancellation stamps advertises the international livestock show better than anything else could.

Mr. HUDSPETH. There is not any question about this being a very fine show, where the fine blooded stock of the United States and Canada is exhibited. I have attended the show myself. Why should not this same privilege be extended to all international exhibits or State fairs?

Mr. BLANTON. Will the gentleman yield?

Mr. LAGUARDIA. Why not let the gentleman offer the amendment?

Mr. SPROUL of Illinois. Of course, it is up to the membership of the House. If the gentleman wants to offer his amendment, I shall not object.

Mr. RAGON. Regular order, Mr. Speaker.

Mr. BLANTON. If we let this bill pass we can make it miserable for the Postmaster General if he does not grant the balance of us the like privilege of using these stencils.

The SPEAKER. Regular order is demanded. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Postmaster General be, and he is hereby, authorized and directed to permit the use in the Chicago post office of special canceling stamps or postmarking dies bearing the following words and figures: "International Livestock Exposition, Union Stock Yards, Chicago, November to December, 1925."

With the following committee amendment:

On page 1, line 7, after the word "November," insert the figures "28"; and on the same page, after the word "December," insert the figure "5."

The committee amendment was agreed to.

Mr. HUDSPETH. Mr. Speaker, I offer an amendment which I send to the Clerk's desk.

The SPEAKER. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HUDSPETH: Page 1, line 4, after word "office" at the end of line 4, insert the following: "and the El Paso post office"; and add after the figures "1925" at the end of line 8, the words "and the El Paso Midwinter Fair, where sunshine spends the winter, November, 1925."

[Laughter.]

Mr. MOORES of Indiana. Mr. Speaker, I submit a point of order on the amendment.

Mr. SPROUL of Illinois. Mr. Speaker, I am not going to object to the amendment.

The SPEAKER. The gentleman from Indiana submits a point of order against the amendment.

Mr. HUDSPETH. I would like to know what the gentleman bases it upon.

Mr. MOORES of Indiana. The point of order is simply this: This is a bill making provision for one post office. If it were a provision for three or four post offices, you could add to it, but as it is simply for one post office, you can not add to it, under the rules of the House.

Mr. HUDSPETH. Let me call the Speaker's attention to the fact that this afternoon we had a bill before us that authorized the coinage of certain coins for a certain exposition at Bennington, Vt., and the gentleman from California [Mr. RAKER] added California, and another gentleman added some other State.

Mr. MOORES of Indiana. But no point of order was made.

The SPEAKER. If anybody had made a point of order, it would have been sustained.

Mr. HUDSPETH. I do not know about a point of order being made.

The SPEAKER. The rule is well established that when there is a bill which refers to one only, it can not be amended. If there were several it could be amended.

Mr. HUDSPETH. I regret the gentleman did not include another one, Mr. Speaker.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

#### UNITED STATES WEATHER BUREAU, EAST LANSING, MICH.

The next business on the Consent Calendar was the bill (H. R. 12086) to authorize the transfer of the United States Weather Bureau site and buildings at East Lansing, Mich., to the State of Michigan in exchange for another Weather Bureau site on the grounds of the Michigan State Board of Agriculture and other considerations.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of Agriculture be, and he is hereby, authorized and directed to transfer and convey to the State of Michigan all the right and title of the United States in and to all that piece and parcel of land situate in the city of East Lansing, county of Ingham, State of Michigan, now occupied and used by the Weather Bureau of the United States Department of Agriculture, more particularly described as follows: Beginning at a point in the south boundary of the Lansing and Howell plank road 40 feet westerly from the intersection of south line of said road with the township line between town 4 north, range 1 west, and town 4 north, range 2 west; thence north, 70° 3' west, 138 feet; thence south, 7° 21' east, 220.68 feet; thence south, 65° 43' east, 77.78 feet; thence north, 8° 33' east, 206 feet to the point of beginning; the tract of land so described containing 0.49 of an acre, more or less; including all the buildings and improvements thereon and all rights, easements, and appurtenances thereunto appertaining, and to execute and deliver in the name of the United States and in its behalf any and all conveyances or other instruments necessary to effectuate such transfer, upon the conditions (a) that the State of Michigan shall, in consideration thereof, transfer and convey to the United States a good title in fee simple to a parcel of ground located on the lands of the Michigan State Board of Agriculture at East Lansing, Mich., approximately equal in area to that hereinbefore described, which shall be acceptable to the Secretary of Agriculture as a site suitable for the erection and maintenance thereon of buildings and other structures for Weather Bureau purposes, and (b) that said State of Michigan shall, in addition, pay to the United States the sum of \$25,000. After deducting from said amount the

necessary expenses of making such transfers the balance thereof shall be deposited by the Secretary of Agriculture in the Treasury of the United States as miscellaneous receipts.

The Secretary of Agriculture is further authorized to erect on the site so acquired a building for the use of the Weather Bureau and to pay for all necessary labor, materials, and expenses, plans and specifications to be prepared by the Secretary of Agriculture, and the work to be done under the supervision of the Chief of the Weather Bureau, at a cost not to exceed \$38,000, from funds to be appropriated.

Mr. HUDSON. Mr. Speaker, I desire to offer an amendment. On page 2, line 10, after the word "and," strike out the word "seventy" and substitute "sixty." This is to correct a typographical error in the description of the land. It should read "sixty-eight" instead of "seventy-eight."

The SPEAKER. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. HUDSON: Page 2, line 10, strike out the word "seventy" and insert in lieu thereof the word "sixty," so that it will read "sixty-eight one-hundredths feet."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

#### ADDITIONAL DISTRICT JUDGE, MIDDLE DISTRICT, PENNSYLVANIA

The next business on the Consent Calendar was the bill (H. R. 3251) to provide for the appointment of an additional district judge for the middle district, Pennsylvania, and fixing his salary.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

Mr. BLANTON. I object.

Mr. McKEOWN and Mr. BLACK of Texas also objected.

#### RECOVERY OF ALLOTMENTS

The next business on the Consent Calendar was the bill (H. R. 7845) regulating the recovery of allotments and allowances heretofore paid to designated beneficiaries.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

Mr. NEWTON of Minnesota. Reserving the right to object, I would like to ascertain from some one how much this is going to cost the Government.

Mr. BLANTON. I ask unanimous consent that the bill be passed without prejudice.

Mr. BLACK of Texas. Will the gentleman yield?

Mr. NEWTON of Minnesota. Yes.

Mr. BLACK of Texas. If the gentleman will read the report, he will find that it covers a few cases in class E allotment, where allotments have been paid in small sums of \$1 a month, and the Secretary of War states that if he can recover any more the cost of collection will be more than the amount received.

Mr. NEWTON of Minnesota. I have been unable to find any estimate as to the amount of money.

Mr. BLACK of Texas. The Secretary of War has not made any estimates.

Mr. VINCENT of Michigan. Mr. Speaker, the officers before the subcommittee, who had charge of class E allotments, testified that during the war the amount of money that passed through the office was one hundred and fifty million seven hundred and forty-six thousand and some odd dollars.

Now, there were errors made in paying the allotments due to the loss of discontinuance papers, and they made an estimate now outstanding of one million eight hundred and forty-three thousand and some odd dollars which is owed to the Government by such a number of people that the average single individual claim would be \$30.77. It is estimated by the Secretary of War and all the officers before the committee that the amount of money required now to collect these claims in expenses on the part of the Government is becoming greater than the amount of the collection. They testified that no longer was there any profit to the Government in attempting to make recollections, because the cost was greater than the amount received.

Mr. BLANTON. I withdraw my request.

Mr. NEWTON of Minnesota. And I withdraw my reservation.

The SPEAKER. The Clerk will report the bill.

Mr. VINCENT of Michigan. Mr. Speaker, I ask unanimous consent that the Senate bill be substituted for the House bill. The language is identical. The title of the Senate bill is not exactly the same as the title of the House bill, but the language in the body of the bill is the same.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read the Senate bill, as follows:

A bill (S. 2746) regulating the recovery of allotments and allowances heretofore paid to designated beneficiaries

*Be it enacted, etc.,* That so much of section 210 of the war risk insurance act, as amended by the act of August 9, 1921 (42 Stat. p. 153), as precludes the recovery of an award of allotment, or allowance, or both, paid to, or on behalf of a person designated as beneficiary of an allotment under the war risk insurance act prior to August 9, 1921, shall hereafter be applicable to allotments paid prior to August 9, 1921, to beneficiaries designated under the Army allotment system by any person who served in the Army.

The bill was ordered to be read a third time, was read the third time, and passed.

The House bill was laid on the table.

#### THE LEXINGTON-CONCORD COMMISSION

The next business on the Consent Calendar was (H. J. Res. 342) a joint resolution to authorize the appointment of an additional commissioner on the United States Lexington-Concord Sesquicentennial Commission.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

A bill (H. J. Res. 342) to authorize the appointment of an additional commissioner on the United States Lexington-Concord Sesquicentennial Commission

*Resolved, etc.,* That the Speaker of the House of Representatives is authorized to appoint a Member of the House of Representatives as an additional commissioner on the United States Lexington-Concord Sesquicentennial Commission established under Public Resolution No. 43, Sixty-eighth Congress, second session, approved January 14, 1925.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

#### ADDITIONAL JUDGE FOR DISTRICT COURT FOR THE WESTERN DISTRICT OF NEW YORK

The next business on the Consent Calendar was the bill (H. R. 6491) to provide for the appointment of an additional judge of the District Court of the United States for the Western District of New York.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. BLANTON and Mr. SUMNERS of Texas objected.

#### ELIMINATION OF LAMOND GRADE CROSSING AND EXTENSION OF VAN BUREN STREET

The next business on the Consent Calendar was the bill (H. R. 12001) to provide for the elimination of Lamond grade crossing in the District of Columbia, and for the extension of Van Buren Street.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Commissioners of the District of Columbia are hereby authorized and directed to construct a subway and approaches to carry Van Buren Street under the tracks and right of way of the Metropolitan branch of the Baltimore & Ohio Railroad Co., in accordance with plans and profiles of said works to be approved by the said commissioners: *Provided,* That one-half of the total cost of constructing said subway and approaches shall be borne and paid by the said railroad company, its successors and assigns, to the collector of taxes of the District of Columbia, to the credit of the District of Columbia, and the same shall be a valid and subsisting lien against the franchises and property of the said railroad company and shall constitute a legal indebtedness of said company in favor of the District of Columbia, and the said lien may be enforced in the name of the District of Columbia by a bill in equity brought by the said commissioners in the Supreme Court of the District of Columbia or by any other lawful proceeding against the said railroad company: *Provided further,* That the said railroad company shall pay to the District of Columbia for the lighting of the subway over which the tracks of the said railroad company will pass, in accordance with the provisions of existing law: *Provided further,* That no street railway company shall use said subway or any approach herein authorized for its tracks until said company shall have paid to the collector of taxes of the District of Columbia a sum equal to one-fourth of the total cost of said subway and approaches, to be applied to the credit of the District of Columbia.

SEC. 2. For the purpose of carrying into effect the foregoing provisions the sum of \$71,500 is hereby authorized to be appropriated, payable in like manner as other appropriations for the expenses of the government of the District of Columbia, and the said commissioners are authorized to expend such sum as may be necessary for personal services and engineering and incidental expenses, and no part of the same shall be applied toward the purchase of any land for the aforesaid extension of Van Buren Street, but such extension shall be made within the area in which the District of Columbia already possesses the right to extend said Van Buren Street under the aforesaid tracks and right of way.

SEC. 3. From and after the completion of the said subway and approaches to carry Van Buren Street under the tracks and right of way of the Metropolitan branch of the Baltimore & Ohio Railroad Co. aforesaid the highway grade crossing over the tracks and right of way of the said Metropolitan branch of the Baltimore & Ohio Railroad Co. at Lamond, in the District of Columbia, shall be forever closed against further traffic of any kind.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

#### AUTHORIZING CERTAIN INDIAN TRIBES TO SUBMIT CLAIMS TO THE COURT OF CLAIMS

The next business on the Consent Calendar was the bill (H. R. 9160) authorizing certain Indian tribes and bands, or any of them, residing in the State of Washington to submit to the Court of Claims certain claims growing out of treaties and otherwise.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That all claims of whatsoever nature, both legal and equitable, of the several Okanogan and Colville Tribes and Bands of Indians as now known and designated, or any of them, either growing out of any treaties or agreements made by such tribes or bands of Indians, or any of them, with the United States or growing out of the original Indian title of said tribes, or any of them, to lands and to hunting, fishing, and grazing rights alleged to have been taken away from said tribes and bands, or any of them, by the United States, and all claims of whatever nature, both legal and equitable, which the several Okanogan and Colville Tribes or Bands of Indians as now known and designated, or any of them (with whom no treaty has been made), may have against the United States shall be submitted to the Court of Claims, with the right of appeal by either party to the Supreme Court of the United States for determination; and jurisdiction is hereby conferred upon the Court of Claims to hear and determine any and all such claims and to render final judgment thereon.

The Court of Claims shall advance the cause or causes upon its docket for hearing and shall have authority to determine and adjudge the rights, both legal and equitable, of the said tribes or bands of Indians and of the United States in the premises, notwithstanding lapse of time or statutes of limitation; and any payment, including gratuities, which the United States may have made to the said tribes or bands shall not be pleaded as an estoppel but may be pleaded as an offset in any suit or action, and the United States shall be allowed credit for all sums, if any, paid or expended for the said tribes or bands. Any other band or tribes of Indians the court may deem necessary to a final determination of any suit or suits brought hereunder may be joined therein as the court may order. The suit or suits instituted hereunder shall be begun within five years after the date of the passage of this act by such several tribes or bands of Indians as parties plaintiff and the United States as the party defendant. The petition or petitions may be verified by the attorney or attorneys employed in said claims by such tribes or bands of Indians upon information and belief as to the facts therein alleged, and no other verification shall be necessary: *Provided,* That upon final determination of such suit or suits the Court of Claims shall have jurisdiction to fix and determine a reasonable fee, not to exceed 10 per cent of the recovery, and in no event shall such fee amount in the aggregate under one attorneyship for each tribe or band to more than \$25,000, together with all necessary and proper expenses incurred in preparation and prosecution of the suit, to be paid to the attorneys employed by the said tribes or bands of Indians, or any of them, and the same shall be included in the decree and shall be paid out of any sum or sums found to be due said tribes.

With the following committee amendments:

Page 2, line 3, insert "in no event to exceed \$1.25 per acre."

Page 3, line 3, after the word "by," strike out "such several tribes or bands of Indians as parties plaintiff and the United States as the party defendant. The petition or petitions may be verified by the attorney or attorneys employed in said claims by such tribes or bands of Indians upon information and belief as to the facts therein alleged, and no other verification shall be necessary," and insert:

"Petition, subject to amendment, to be filed in the Court of Claims by the attorney or attorneys employed by said Indians under contract approved as required by existing law; and such petition shall set forth all the facts upon which the claims for recovery are based and shall make the Indians parties plaintiff and the United States party defendant, and shall be verified by the attorney or attorneys upon information and belief as to the facts therein alleged, and no other verification shall be necessary.

"Official papers, letters, documents, and public records, or certified copies thereof, may be used in evidence; the departments of the Government shall give the attorney or attorneys so employed access to all papers, documents, and correspondence or records that may be needed in such suit or suits by such attorney or attorneys."

Page 4, line 6, after the word "employed," insert the words "as herein provided."

Page 4, line 9, after the word "tribes," insert: "and the balance of such sum or sums shall be placed in the Treasury of the United States, where it shall draw interest at the rate of 4 per centum per annum."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

#### AMENDING THE FEDERAL INTERPLEADER ACT

The next business on the Consent Calendar was the bill (S. 2835) to amend an act entitled "An act authorizing insurance companies or associations and fraternal beneficiary societies to file bills of interpleader," approved February 22, 1917.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. NEWTON of Minnesota. Mr. Speaker, reserving the right to object, will the chairman of the Committee on the Judiciary kindly state the occasion for the passage of this legislation?

Mr. GRAHAM. Mr. Speaker, this bill was introduced to correct certain defects in the interpleader act of 1917. The interpleader act of 1917 referred to insurance companies, fraternal and beneficial societies, and the bill is intended to cover by a single word associations also, as not being specifically named. It is also intended to cover indemnities where a bond of indemnity is given and there are two or more adverse claimants for the funds, that they may be brought in under interpleader. Then it specifies what is left unspecified in the existing law. Where a benefit is payable to an estate and a death occurs suit must be brought at the place of residence of the legal representatives, wherever they reside. Likewise, in the case of the assignment of benefits the same ruling applies. If the assignee dies, the legal representatives shall be sued at their domicile.

Mr. McKEOWN. Mr. Speaker, reserving the right to object, I want to ask the gentleman about the amendment as to the right of injunction. You use the words "permanent injunction," which are not in the other law. Whether or not under this bill, if the policy of insurance be assigned to the insurance company, they could go into the court of their residence and interplead rather than go where the beneficiary lives.

Mr. GRAHAM. Oh, I would say not. If it is assigned to them there would be no adverse claimant. It would be surrendered to the company.

Mr. McKEOWN. Well, assigned to the company to secure premiums. Sometimes they are assigned to cover that. I want to be certain about it.

Mr. GRAHAM. I do not think this bill will affect a case like that. They will have their lien on the policy, and that is all.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That an act approved February 22, 1917, authorizing insurance companies and fraternal societies to file bills of interpleader, be amended to read as follows:

"SECTION 1. That the district courts of the United States shall have original jurisdiction to entertain and determine suits in equity begun by bills of interpleader, duly verified, filed by any insurance company or association or fraternal or beneficial society, and averring that one or more persons who are bona fide claimants against such company, association, or society resides or reside within the territorial jurisdiction of said court; that such company, association, or society has issued a policy of insurance or certificate of membership providing for the payment of \$500 or more as insurance, indemnity, or benefits to a beneficiary, beneficiaries, or the heirs, next of kin, legal representatives, or assignee of the person insured or member; that two or more adverse claimants, citizens of different States, are claiming to be

entitled to such insurance, indemnity, or benefits; that such company, association, or society has paid the amount thereof into the registry of the court, there to abide the judgment of the court.

"SEC. 2. In all such cases if the policy or certificate is drawn payable to the estate of the insured and has not been assigned in accordance with the terms of the policy or certificate the district court of the district of the residence of the personal representative of the insured shall have jurisdiction of such suit. In case the policy or certificate has been assigned during the life of the insured in accordance with the terms of the policy or certificate, the district court of the district of the residence of the assignee or of his personal representative shall have jurisdiction. In case the policy or certificate is drawn payable to a beneficiary or beneficiaries and there has been no such assignment as aforesaid, the jurisdiction shall be in the district court of the district in which the beneficiary or beneficiaries or their personal representatives reside. In case there are beneficiaries resident in more districts than one, then jurisdiction shall be in the district court in any district in which a beneficiary or the personal representative of a deceased beneficiary resides.

"SEC. 3. Said court shall hear and determine the cause and shall discharge the complainant from further liability, and shall make the injunction permanent and enter all such other orders and decrees as may be suitable and proper, and issue all such customary writs as may be necessary or convenient to carry out and enforce the same."

The bill was ordered to be read a third time, was read the third time, and passed.

#### AMENDING PENAL CODE IN RELATION TO MAIL BOXES

The next business on the Consent Calendar was the bill (S. 3180) to amend section 194 of the Penal Code of the United States.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That section 194 of the penal laws of the United States be amended so that it shall read as follows:

"SEC. 194. Whoever shall steal, take, or abstract, or by fraud or deception obtain, from or out of any mail, post office, or station thereof, or other authorized depository for mail matter, or from a letter or mail carrier, any letter, postal card, package, bag, or mail, or shall abstract or remove from any such letter, package, bag, or mail, any article or thing contained therein, or shall secrete, embezzle, or destroy any such letter, postal card, package, bag, or mail, or any article or thing contained therein; or whoever shall steal, take, or abstract, or by fraud or deception obtain any letter, postal card, package, bag, or mail, which has been left for collection upon or adjacent to a collection box or other authorized depository of mail matter; or whoever shall buy, receive, or conceal, or aid in buying, receiving, or concealing, or shall unlawfully have in his possession, any letter, postal card, package, bag, or mail, or any article or thing contained therein, which has been so stolen, taken, embezzled, or abstracted, as herein described, knowing the same to have been so stolen, taken, embezzled, or abstracted; or whoever shall take any letter, postal card, or package out of any post office or station thereof, or out of any authorized depository for mail matter, or from any letter or mail carrier, or which has been in any post office or station thereof, or other authorized depository, or in the custody of any letter or mail carrier, before it has been delivered to the person to whom it was directed, with a design to obstruct the correspondence, or to pry into the business or secrets of another, or shall open, secrete, embezzle, or destroy the same, shall be fined not more than \$2,000 or imprisoned not more than five years, or both."

The bill was ordered to be read a third time, was read the third time, and passed.

#### EXTENDING WAR-FRAUD CASES

The next business on the Consent Calendar was the bill (S. 3913) to extend for an additional period of three years the effective period of the act entitled "An act to amend section 51 of chapter 4 of the Judicial Code," approved September 19, 1922, and an act entitled "An act to amend section 876 of the Revised Statutes," approved September 19, 1922.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WINGO. Mr. Speaker, reserving the right to object, what is the specific reason for this?

Mr. GRAHAM. The Department of Justice has urgently asked for the passage of this law. The act which is being extended is one that was passed to enable the department to handle the many cases that arose after the war. This extension simply permits services on defendants and the running of the subpoena beyond the time limited by section 54 of the act.

Mr. WINGO. The gentleman failed to notice my question. I am familiar with the act; in fact, I am the author of the compromise now represented by the law. What I want to know is what is the necessity for this extension?

Mr. GRAHAM. These cases are still pending, and there are additional ones being brought. It is absolutely essential to a fair and thorough administration of the department. I ask the gentleman from New York [Mr. SNELL] to read a letter which he has received on the subject.

Mr. SNELL. Mr. Speaker, I ask unanimous consent to have read at the Clerk's desk the memorandum that came from the Department of Justice to-day relative to the extension of this law. I think that gives a full explanation.

Mr. WINGO. Mr. Speaker, the gentleman is familiar with the trouble we had about this matter before.

Mr. SNELL. I am not.

Mr. WINGO. Let it go over until some other day when we can look into the matter. I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Is there objection?

Mr. SNELL. Mr. Speaker, this is probably the last time we will have a chance at this.

Mr. GRAHAM. I hope the gentleman will withdraw that request, because this bill must be passed if it is going to be done at all at this session. The limitation of three years expires within a few months.

Mr. WINGO. They have had seven years to bring these suits, and the House is familiar with the history of this. When the matter came up three years ago it was evident when the House adjourned one afternoon that the bill could not pass.

The Department of Justice sent Mr. Reavis, of Nebraska—who has been a Member of the House—up to a conference in my office. It was finally agreed that there should be a limit of time. It was not contended that it would take over two years to bring these suits, but in order to be sure about it I myself insisted that they have three years. It was admitted—and I think it will be admitted by every lawyer familiar with the facts—that they had ample time to bring every suit, and if they did not bring a suit the failure to pass this act will only bar them from having special jurisdiction in the District of Columbia.

Mr. SNELL. Let the letter be read, and that will explain that some suits are in process at the present time and it is necessary.

Mr. WINGO. If they are in process, the suit has been already brought.

Mr. GRAHAM. Mr. Speaker—

Mr. SNELL. I ask unanimous consent that the letter be read.

Mr. GRAHAM. It is not a limitation, it is not an extending of the statute of limitations.

Mr. WINGO. I know—

Mr. GRAHAM. The gentleman is speaking as if a suit already brought is already settled. There are subpoenas to be served, and under the old statute they can only run within 100 miles of the courthouse.

Mr. WINGO. You can certainly get a judge to give permission. The law specifically provides it.

Mr. GRAHAM. I beg the gentleman's pardon.

Mr. WINGO. That is the law. I will read the law.

*Provided*, That in civil cases no writ of subpoena shall issue for witnesses living out of the district in which the court is held at a greater distance than 100 miles from the place of holding the same without the permission of the court being first had upon proper application and cause shown.

That is in civil cases.

Mr. GRAHAM. That is what we are trying to extend; that is not in section 51.

Mr. WINGO. That is part of the law.

Mr. GRAHAM. If this extension expires by virtue of that very law—

Mr. WINGO. If the gentleman will permit—

Mr. GRAHAM. Pardon me a minute, if the gentleman wants to understand it. If this extension expires, then the old section, by virtue of the language of the law, comes back into force, and then the limitation of 100 miles operates. Now if you want to give the department jurisdiction and an opportunity to extend their subpoenas by this amendment which was put on, then adopt this bill. I have no interest in it except to extend and promote the execution of justice by the Department of Justice. The gentleman may object and vote it either up or vote it down, so far as that is concerned.

Mr. WINGO. The gentleman is very courteous; I have that right without the concession of the gentleman. The trouble is they had a barn full of lawyers here for seven years and we gave them one year more than the department demanded, making it three years, and they come now and ask for this extraordinary remedy. This bill will authorize a suit to be brought and maintained against a man not in the District of Columbia, who has not been in the District of Columbia, has no property here—

Mr. GRAHAM. There is nothing of the kind in the bill.

Mr. WINGO. I know—

Mr. GRAHAM. The gentleman has not read it.

Mr. WINGO. I am more familiar with it than the gentleman is.

Mr. GRAHAM. The gentleman knows the old saying, assume a virtue if you have it not.

Mr. WINGO. The gentleman's age and the occasion permits him to take greater liberties than the gentleman ought to take.

Mr. NEWTON of Minnesota. Mr. Speaker, will the gentleman from Arkansas yield?

Mr. WINGO. I yield.

Mr. NEWTON of Minnesota. There is a communication from the Department of Justice in reference to this matter, stressing the necessity of passing the legislation. Now, it seems to me that the gentleman ought to be willing to have the views of the Department of Justice discussed here.

Mr. WINGO. Does it name a specific reason, or does it deal with generalities?

Mr. NEWTON of Minnesota. It goes into specific reasons why this amendment is necessary.

Mr. WINGO. All right, read it.

The SPEAKER. Without objection, the Clerk will read.

The Clerk read as follows:

DEPARTMENT OF JUSTICE,  
WAR TRANSACTIONS SECTION,  
Washington, D. C., February 16, 1925.

This bill passed the Senate on February 3. It was favorably reported to the House (Rept. No. 1430) by the Committee on the Judiciary on February 10. A copy of the report is attached hereto.

It is urgently necessary that this bill become a law prior to the adjournment of the present Congress unless the Government is to be seriously impeded and hampered in its prosecution of cases arising out of war transactions. The purpose of the bill is to extend for a further period of three years two acts which would otherwise become inoperative on September 19, 1925. Those acts were originally passed to enable this department more effectively to prosecute war frauds. As the law stood prior to the passage of those acts suits at law and in equity had to be brought in the district in which the defendant resided, and witnesses who lived more than 100 miles from the place of holding court could not be summoned to appear in court except in cases under the antitrust act and similar statutes.

Many cases arising out of war frauds involve a number of defendants living in different judicial districts. The law was amended so as to make it possible to sue all of these defendants in any one district. If this had not been done, the Government in many cases would have been unable to bring suits at all. After the law was amended the Government brought certain actions which are still pending. Unless the present bill (S. 3913) becomes a law the defendants in these pending cases may contend that the court has lost jurisdiction over those of them who do not reside in the districts where the suits have been brought. Furthermore, it will be difficult, if not impossible, for the Government to bring certain other actions in which a number of defendants residing in different judicial districts are involved. In many cases, such as actions against partnerships and actions for an accounting, it is absolutely necessary to make all of the defendants parties, and their interests may be such that unless they can all be brought before the court the court on recognized principles of equity jurisdiction will not be able to decide the matter.

Witnesses may be summoned in criminal cases to appear in any United States court which has jurisdiction of the case if the witness can be served anywhere in the United States, and, as I have said, this is also possible under the antitrust act and similar statutes. There seems to be no good reason why the Government should be embarrassed in the prosecution of litigation to enforce its rights in cases involving war frauds by such restrictions upon the power of its courts to summon witnesses to appear before them.

At the time that the law was originally amended there were, as I understand it, full hearings before the Judiciary Committees, and it was decided the law should be amended, but that the amendment should cease to be operative after September 19, 1925. The present bill merely extends the operative period of the amendment for an additional period of three years.

Respectfully yours,

JEROME MICHAEL, Director.

(For the directors of the war transactions section.)

Mr. WINGO. Now, Mr. Speaker, the best answer to that letter is the statute—

*Provided, however,* That any civil suit, action, or proceeding brought by or on behalf of the United States, or by or on behalf of any officer of the United States authorized by law to sue, may be brought in any district whereof the defendant is an inhabitant, or where there be more than one defendant in any district whereof any one of the defendants, being a necessary party, or being jointly, or jointly and severally, liable, is an inhabitant, or in any district wherein the cause of action or any part thereof arose; and in any such suit, action, or proceeding process, summons, or subpoena against any defendant issued from the district court of the district wherein such suit is brought shall run in any other district, and service thereof upon any defendant may be made in any district within the United States or the Territorial or insular possessions thereof in which any such defendant may be found with the same force and effect as if the same had been served within the district in which said suit, action, or proceeding is brought. The word "district" and the words "district court" as used herein shall be construed to include the District of Columbia and the Supreme Court of the District of Columbia.

In other words, there is not a bit of doubt that any question will be raised about the trial of the cases where a suit has been brought, and they have got until next fall to bring these cases and get their service; and I reiterate it, upon rereading the law and upon the frank statement which was made in 1922, in these cases where there are several or more defendants and it is provided by law that the United States could maintain a fraud action, a civil action, against a man who lived in California, who had never been in the District of Columbia—and I use the word "California" advisedly, because that is a case which was cited.

Now this statute that we put on here was an old statute. It proved to be a harsh statute. It was in violation of the spirit of the law. But when they came here in 1922, even then they had several years in which to bring these suits, but they said, "If you give us two more years we can bring all these suits."

Then the House in generosity gave them three years, and they now have several months in which they may file these suits and get their service; and I, for one, am not willing to extend the period unless some specific reason is given to show that otherwise the public interests will suffer, and to show that the United States can not get justice in a proceeding, but must come here to the District of Columbia and maintain a civil action charging a citizen with fraud.

Mr. LAGUARDIA. How about the witnesses required at the trial of these cases that have already been instituted, where the witnesses have been scattered all over the country?

Mr. WINGO. Let them try the cases between now and September. When in the name of Heaven are they going to try these cases?

Mr. LAGUARDIA. I have looked into these cases, and in almost every one of them there have been demurrers, and the demurrers have been overruled, and they are back to the issues on trial. I have in mind the Dayton case, which is to be tried in Cincinnati. The demurrer was overruled just a few days ago, and they moved to take it to the equity side of the court.

Mr. WINGO. That is irrelevant. Why does not the Government try the cases?

Mr. LAGUARDIA. They are ready to try.

Mr. WINGO. Why do they not try?

Mr. LAGUARDIA. I, too, have a desire to protect the Government. I think the Government can try some of these cases somewhere else than in the District of Columbia. I have looked into these cases—one in Milwaukee and some in Cincinnati and some in New York. The Government is anxious to try, but the defendants wish to get all the time they can.

Mr. WINGO. Is it not going to hurt the Government of the United States, with all the money it has and with all the power it has, to go and resort to some expedient that an humble citizen of the land resorts to when he goes into an action?

Mr. LAGUARDIA. The Government will have to go out and get the witnesses.

Mr. WINGO. Let them get them.

Mr. LAGUARDIA. There has been a great deal of laxity on the part of the Government, but they are getting ready to try them now.

Mr. WINGO. I object.

The SPEAKER. Objection is made. The Clerk will report the next bill.

#### PIER AND WHARF AT GLOUCESTER POINT, VA.

The next business on the Consent Calendar was the bill (H. R. 11725) to legalize a pier and wharf in York River at Gloucester Banks, near Gloucester Point, Va.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That the pier and wharf built by Robert H. Talley, trustee, in the York River, State of Virginia, at Gloucester Banks, which is about 1 mile east of Gloucester Point, Gloucester County, Va., and about one-half mile west of Sarah Creek, Va., be, and the same is hereby, legalized to the same extent and with like effect as to all existing or future laws and regulations of the United States as if the permit required by the existing laws of the United States in such cases made and provided had been regularly obtained prior to the erection of said pier and wharf.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With a committee amendment, as follows:

Page 2, line 2, after the word "wharf" change the period to a colon and add the following: "*Provided,* That any changes in said pier, which the Secretary of War may deem necessary and order in the interest of navigation, shall be promptly made by the owner thereof."

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER. The Clerk will report the next bill.

#### BRIDGE ACROSS NIAGARA RIVER, N. Y.

The next business on the Consent Calendar was the bill (H. R. 11977) to extend the time for the commencement and completion of the bridge of the American Niagara Railroad Corporation across the Niagara River in the State of New York.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That the times for commencing and completing the construction of the bridge of the American Niagara Railroad Corporation authorized by act of Congress, approved February 27, 1923, to be built across the Niagara River at a point suitable to the interests of navigation, are hereby extended one and three years, respectively, from the date hereof.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER. The Clerk will report the next bill.

#### BRIDGE ACROSS THE ALLEGHENY RIVER

The next business on the Consent Calendar was the bill (H. R. 11978) granting the consent of Congress to the Commissioners of McKean County, Pa., to construct a bridge across the Allegheny River.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of this bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the consent of Congress is hereby granted to the Commissioners of McKean County, Pa., and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Allegheny River at a point suitable to the interests of navigation, and where a highway now known as State Highway Route No. 211 crosses said river at a location approximately 1 mile south of Larabee, in the county of McKean, in the State of Pennsylvania, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

On page 1, line 7, after the word "navigation" strike out the words "and where a highway now known as State highway route numbered 211 crosses said river."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

DAM AND BRIDGE IN LAFAYETTE RIVER, NORFOLK, VA.

The next business on the Consent Calendar was the bill (S. 3398) to authorize the city of Norfolk, Va., to construct a combined dam and bridge in Lafayette River at or near Granby Street, Norfolk, Va.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of this bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the consent of Congress is hereby granted to the city of Norfolk, a municipal corporation, situated in Norfolk County, State of Virginia, to construct, maintain, and operate a combined dam and bridge in Lafayette River, at a point suitable to the interests of navigation, at or near Granby Street, Norfolk, Va.: *Provided, That* the work shall not be commenced until the plans therefor have been submitted to and approved by the Chief of Engineers, United States Army, and by the Secretary of War: *Provided further, That* this act shall not be construed to authorize the use of such dam to develop water power or generate hydroelectric energy.

Sec. 2. That the authority granted by this act shall cease and be null and void unless the actual construction of the dam hereby authorized is commenced within one year and completed within three years from the date of approval of this act: *Provided, That* from and after 30 days' notice from the Federal Power Commission, or other authorized agency of the United States, to said city, that desirable water-power development will be interfered with by the existence of said dam, the authority hereby granted to construct, maintain, and operate said dam shall terminate and be at an end; and any grantee or licensee of the United States proposing to develop a power project at or near said dam shall have authority to remove, submerge, or utilize said dam under such conditions as said commission or other agency may determine, but such conditions shall not include compensation for the removal, submergence, or utilization of said dam.

Sec. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

MEMORIAL IN THE HARNEY NATIONAL FOREST

The next business on the Consent Calendar was the bill (H. R. 11726) to authorize the creation of a national memorial in the Harney National Forest.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, reserving the right to object, and I do not think I shall, this memorial is to commemorate certain events in our national history. What events?

Mr. WILLIAMSON. The memorial, as contemplated by Gutzon Borglum, will be in commemoration of Washington and Lincoln.

Mr. BLANTON. There will be no controversial events in national history?

Mr. WILLIAMSON. Nothing at all like that.

Mr. BLANTON. Nothing that any American would object to?

Mr. WILLIAMSON. Washington and Lincoln are the only characters involved.

Mr. BLANTON. There will be nothing objectionable at all?

Mr. WILLIAMSON. Not that I know of.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Mount Harney Memorial Association hereafter to be created by the Legislature of South Dakota is hereby authorized to carve a memorial in heroic figures commemorative of our national history and progress upon a suitable exposure of the Harney Mountain Range, located within the boundaries of the Harney National Forest, in the State of South Dakota. Such association is further authorized to select the name, location, and design of such memorial: *Provided, That* the United States shall be put to no expense in respect of such memorial.

With the following committee amendment:

Page 2, line 1, after the word "memorial," insert the words "and that the Secretary of Agriculture finds that the location of the site will not interfere with the administration of the Harney National Forest."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

RAILROAD RIGHT OVER A PORTION OF THE MILITARY RESERVATION ON ANASTASIA ISLAND, FLA.

The next business on the Consent Calendar was the bill (H. R. 12063) to authorize the Secretary of War to grant a perpetual easement for railroad right of way over and upon a portion of the military reservation on Anastasia Island, in the State of Florida.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of this bill?

There was no objection.

Mr. SEARS of Florida. Mr. Speaker, I ask unanimous consent that an identical Senate bill (S. 4152) be considered instead of the House bill.

The SPEAKER. The gentleman from Florida asks unanimous consent that an identical Senate bill (S. 4152) be considered instead of the House bill. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That the Secretary of War be, and he is hereby, authorized and directed to grant and convey to the St. Johns Electric Co., an electric power and railroad corporation, organized and existing under and by virtue of the laws of the State of Florida, its successors and assigns, a perpetual easement, subject to the proviso in section 2 herein, for electric railroad purposes over and upon the following-described property, being a part of the military reservation on Anastasia Island, in the State of Florida, to wit:

Beginning at a point in old right of way of the St. Johns Electric Co. in the northeast quarter of the northeast quarter of section 28, township 7 south, range 30 east, said point of beginning being 125 feet from the north line and 572 feet from the west line of the northeast quarter of the northeast quarter of section 28, township 7 south, range 30 east, running thence generally in a southerly direction to a point in the half-section line of section 27, township 7 south, range 30 east, said point being 181 feet east of the section line between sections 27 and 28, township 7 south, range 30 east; thence in a southeasterly direction to a point in the south line of lot 10 of section 27, township 7 south, range 30 east, said point being 326 feet east of the southwest corner of said lot 10; said perpetual easement to be 100 feet on each side of the center of the track of railroad company and 6,138 feet in length; with full power to locate and construct railroad tracks, sidings, switches, stations, and other appurtenances thereon and to use said property for any and all purposes appurtenant to its business: *Provided, That* no part of the property hereby granted shall be used for any other than railroad purposes, and that when the property above described shall cease to be so used it shall revert to the United States of America.

Sec. 2. The said conveyance shall be subject to the conditions and reversion hereinbefore provided for, and shall be used for the purposes hereinbefore described only, and shall be subject to the right of the United States in case of an emergency to assume control of, hold, use, and occupy, temporarily or otherwise, without license, consent, or leave from said corporation, any or all of said land for any and all military, naval, or lighthouse purposes, free from any conveyance, charges, encumbrances, or liens made, created, permitted, or sanctioned thereon by said corporation: *Provided, That* the United States shall not be or become liable for any damages or compensation whatever to the said corporation for any future use by the Government of any or all of the above-described land for any of the above-mentioned purposes.

The bill was ordered to be read a third time, was read the third time, and passed.

The SPEAKER. Without objection, a similar House bill will be laid on the table.

There was no objection.

GAME REFUGES ON THE OZARK NATIONAL FOREST, ARK.

The next business on the Consent Calendar was the bill (H. R. 12192) to authorize the creation of game refuges on the Ozark National Forest, in the State of Arkansas.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of this bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the President of the United States is hereby authorized to designate such national forest lands within the Ozark National Forest, within the State of Arkansas, as should, in his discretion, be set aside for the protection of game animals, birds, or fish; and whoever shall hunt, catch, trap, willfully disturb, or kill any kind of game animal, game or nongame, bird, or fish, or take the eggs of any such bird on any lands so set aside, or in or on the waters thereof,

except under such general rules and regulations as the Secretary of Agriculture may from time to time prescribe, shall be fined not more than \$500 or imprisoned not more than six months, or both.

Mr. WINGO. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from Arkansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WINGO: On page 2, line 3, after the word "both" insert: "Provided, That no lands within the present limits of the Fourth Congressional District shall be included in such designations."

Mr. RAGON. Mr. Speaker, I accept that amendment.

Mr. WINGO. The probabilities are that the lands to be affected are in the district of the gentleman from Arkansas [Mr. RAGON] and in the district of the gentleman from Arkansas [Mr. OLDFIELD], but in view of the provision affecting the fish and game laws I want to be sure that no lands in my district shall be affected.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Arkansas.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

#### MEMORIAL TO THOSE WHO GAVE THEIR LIVES IN THE AVIATION SERVICE

The next business on the Consent Calendar was Senate Joint Resolution 167, authorizing the erection on public grounds in the city of Washington, D. C., of a memorial to those who gave their lives to their country in the Aviation Service of the Army, Navy, and Marine Corps in the World War.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection?

Mr. LOZIER. Mr. Speaker, I object.

Mr. MORTON D. HULL. May I ask the gentleman to withhold his objection and ask the reason why the gentleman objects?

Mr. LOZIER. This bill, S. J. Res. 167, is not what it purports to be. The title is misleading in that it does not indicate the real purpose of the bill. This is not a bill having for its primary object the erection of a public monument on public ground in honor of those who lost their lives in the Aviation Service in the World War. If that were the object of the bill, I should not oppose it, because I believe this Nation should at all times hold in loving remembrance those who sacrificed their lives in order that our institutions and civilization might be preserved.

But this is a bill the primary purpose of which is to permit Mrs. Louis Bennett, a private person, to erect a private monument on the public grounds in the city of Washington, for the primary purpose of honoring her son who lost his life in the Aviation Service in the late war. While others who lost their lives in the Aviation Service in the World War might incidentally be honored by the passage of this bill and the construction of this monument, still this is in essence a private bill, permitting the erection of a private monument on the public grounds of the National Capital.

The report on this bill shows that Mrs. Bennett has already erected similar monuments in England and France in honor of her son, from which we are justified in assuming that she is a woman of wealth, and desires to expend a dignified sum for a monument in honor of her son, and this bill, in its last analysis, permits her to use the public grounds of the National Capital as a site for the private monument. The bill provides that the site shall be determined by the Government authorities.

In opposing this measure I do not want to be understood as reflecting on the motives of Mrs. Bennett. Undoubtedly she is actuated by a worthy and exalted desire to commemorate the heroic sacrifice of her son. In desiring to thus honor her son, she merits the commendation of all right-thinking men and women.

But, Mr. Chairman, this bill will permit her to erect a private monument on the public grounds in our Capital City. If this permission is granted, we will thereby establish a bad precedent that will cause us no end of trouble in the future. If we grant Mrs. Bennett permission to erect a monument on public grounds in honor of her deceased son, you can not consistently refuse to let other fathers and mothers erect monuments on these public grounds in honor of their sons, who, in like manner, lost their lives in the service of their country. Every father and mother, especially those having great wealth, would have an equal right to erect monuments to their sons,

and in time these public grounds would be filled with private monuments.

If this precedent is established, the wealthy classes would cover our public grounds with private monuments of this character, and this would mean the turning of the public grounds in our National Capital into a private cemetery for the rich of our land. If this privilege is granted to the rich, it should not be denied to the poor. It is easy to begin a practice of this kind, but where is it going to end? Where are you going to draw the line? These public grounds belong to the Nation and to all the people of this great Republic. They should be kept free from private invasion, no matter how worthy may be the motive or purpose of those who ask this permission. We should not permit the use of these public grounds by any private persons for any private purpose. There is but one safe rule, and that requires that these public grounds be not used for the private purpose mentioned in this bill, or for any other private purpose.

Mr. BLANTON. Mr. Speaker, I ask for the regular order.

The SPEAKER. The gentleman from Texas demands the regular order. Is there objection?

Mr. LOZIER. I object, Mr. Speaker.

#### ASSISTANT ASSESSORS FOR THE DISTRICT OF COLUMBIA

The next business on the Consent Calendar was the bill (S. 1786) to amend sections 5, 6, and 7 of the act of Congress making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1903, approved July 1, 1902, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BLANTON, Mr. McKEOWN, and Mr. NEWTON of Minnesota objected.

#### TO AMEND THE NATIONAL DEFENSE ACT

The next business on the Consent Calendar was the bill (H. R. 11445) to amend the national defense act.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, I object.

The SPEAKER. Three objections are required. The Clerk will read the bill.

The Clerk read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled—*

Mr. BLANTON. Mr. Speaker, I regret I am forced to make a point of no quorum at this time. This bill ought not to pass here to-night under such circumstances. The bill ought to be withdrawn. It is too important a bill to come up here, with just a handful of Members present, at 10.30 o'clock at night.

Mr. McKENZIE. Mr. Speaker, if the gentleman from Texas will permit, I can explain the bill in two minutes.

Mr. BLANTON. I know all about the bill. The gentleman's explanation would probably help somebody else, but I know about it and I am not in favor of it, and I am not in favor of it coming up here with Members not knowing anything in the world about it.

Mr. McKENZIE. It has been on the calendar.

Mr. BLANTON. I know, and I knocked it off once before; but, unfortunately, I can not knock it off to-night.

Mr. McKENZIE. It seems to me that those of us who have been here looking after this legislation—

Mr. BLANTON. If we had an opportunity to debate the matter before our colleagues and get a record vote, I would have no objection, but we can not get a record vote to-night. The membership is not here, and we can not call them out of their beds at this time, and the gentleman ought not to force this bill up here to-night.

Mr. McKENZIE. Mr. Speaker, I would ask unanimous consent that the gentleman be given five minutes to debate the bill if he wants to.

Mr. BLANTON. Let us pass it over to-night.

Mr. DENISON. Mr. Speaker, I ask unanimous consent—

Mr. McKENZIE. One moment. Mr. Speaker, we all understand the situation. This is the last unanimous-consent day we will have.

Mr. WATKINS. No; we are going to have another one.

Mr. McKENZIE. As a matter of fact, I do not think I would have any right to consent to passing this bill over. If the gentlemen want to object to it, I can not help that.

Mr. LAGUARDIA. Mr. Speaker, if the gentleman will yield, my objection was not to the merits of the bill. My objection

was to the matter of priority, another very important bill having been objected to to-day. I refer to the emergency officers' pension bill. We feel that the committee ought to take up the bills in the order of their importance, and that is why I objected to this bill. Were it not for the strategic purpose, I assure the gentleman I would not object.

Mr. BLANTON. Will not the gentleman agree to let the bill go over? The Speaker will probably recognize the gentleman to bring the bill up under suspension of the rules, and we will have a number of suspension days.

Mr. McKENZIE. The gentleman knows I can not comply with his request.

Mr. BLANTON. We will have no chance to debate this bill to-night and we could not have a record vote on it at all, because we could not call the Members here.

Mr. McKENZIE. I will consent that the vote may go over until to-morrow, so far as I am concerned.

Mr. BLANTON. The gentleman will consent that the vote may go over until to-morrow morning, if there is a roll call demanded on it?

Mr. McKENZIE. That would knock out all the balance of the bills.

Mr. BLANTON. Not necessarily. Would the gentleman mind moving the previous question, and then let the vote go over until to-morrow?

Mr. McKENZIE. I will say to the gentleman, I think this is a bill that ought to pass. I feel that way about it, and if the gentleman insists we should have a record vote on it, I have no objection to a record vote on the bill, and I have no objection to agreeing to a unanimous-consent request that a vote be taken to-morrow morning immediately after the reading of the Journal.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the vote on this bill be not taken until to-morrow.

The SPEAKER. The gentleman from Texas asks unanimous consent that the previous question be considered ordered and then the bill will be taken up to-morrow. Is there objection? [After a pause.] The Chair hears none.

Mr. McKENZIE. Mr. Speaker, we had better read the bill and agree to the committee amendment.

The SPEAKER. The Clerk will report the bill.  
The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Chief of Finance and the Chief of the Chemical Warfare Service of the Army shall hereafter have the rank, pay, and allowances of a major general: *Provided,* That the President is hereby authorized to place on the retired list of the Army as a major general, with the retired pay of that grade, the officer who was the first Chief of Finance of the Army and who was placed on the retired list as a brigadier general while holding that office.

The committee amendment was read, as follows:

Line 5, change the colon to a period, and strike out all after the word "general" down to and including line 10.

Mr. McKENZIE. The committee amendment should be agreed to.

The SPEAKER. No; the previous question has been ordered, and the vote will be taken to-morrow.

TO AUTHORIZE THE PERMANENT APPOINTMENT OF ANY ACTING CHAPLAIN IN THE NAVY TO THE TEMPORARY GRADE AND RANK HELD BY HIM DURING THE WORLD WAR

The next business on the Consent Calendar was the bill (H. R. 11921) to authorize the permanent appointment of any acting chaplain in the Navy to the temporary grade and rank held by him during the World War.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That any officer now serving as an acting chaplain in the Navy shall, subject to all statutory requirements other than age, be eligible for permanent appointment in the grade and rank which he creditably held under a temporary appointment during the World War: *Provided,* That any officer appointed in accordance with the provisions of this act shall be entitled to no additional back pay or allowances by reason of such appointment.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

EXCHANGES OF LANDS IN THE WALAPAI INDIAN RESERVATION, ARIZ.

The next business on the Consent Calendar was the bill (S. 877) to provide for exchanges of Government and privately owned lands in the Walapai Indian Reservation, Ariz.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. NEWTON of Minnesota. Reserving the right to object, I would like to have a brief statement as to the occasion of this legislation.

Mr. RAKER. The gentleman from Arizona [Mr. HAYDEN], has just stepped out temporarily. There is no question about the propriety of the bill; it is to consolidate these lands, the Government-owned sections and Indian lands. They will both be more valuable.

Mr. NEWTON of Minnesota. What is the necessity of it?

Mr. RAKER. Well, here is a tract, say 20 miles long, and every alternate section is owned by Indians and the other alternate sections by the railroad company. If you can consolidate these lands they will be five times as valuable as they are as now situated. I hope the gentleman will not object.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior is hereby authorized, in his discretion, under rules and regulations to be prescribed by him, to accept reconveyances to the Government of privately owned and State school lands and relinquishments of any valid filings, under the homestead laws, or of other valid claims within the Walapai Indian Reservation in Mohave and Coconino Counties, Ariz., and to permit lieu selections within the boundaries of the said reservation by those surrendering their rights so that the lands retained for Indian purposes may be consolidated and held in a solid area so far as may be possible: *Provided,* That the title or claim of any person or company who refuses to reconvey to the Government shall not be hereby affected.

The bill was ordered to be read a third time, was read the third time, and passed.

COMMISSION TO PRESCRIBE THE POWERS AND COMPENSATION OF THE COURT OF CLAIMS

The next business on the Consent Calendar was the bill (S. 3793) to authorize the appointment of commissioners by the Court of Claims, and to prescribe their powers and compensation.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

Mr. BLANTON. Reserving the right to object, this is to permit the appointment of seven commissioners?

Mr. GRAHAM. For the information of the House I would state that there was a bill introduced for the appointment of four judges. Hearings were had on that. It became evident that that could not be finished in time to present to the House and the Senate and have it pass. At the instance of Senator CUMMINS, in the other Chamber, the Court of Claims was asked to get up a bill that would relieve this situation. The chief justice in a letter to the chairman of this committee stresses the importance of this bill.

Before that I will say that the bill was introduced and reported out of the Judiciary Committee of the Senate, passed the Senate, came to the Judiciary Committee of the House, and has been reported back by that committee and is on the calendar. Now, with reference to the merits of the bill, the Chief Justice says:

I know it is late in the session, but I take the liberty of saying that relief such as provided in this bill is of the utmost importance. Large claims against the Government are bearing interest, and they are not being brought to the attention of the court as rapidly as they can be brought if we have the facilities asked for in this bill. And not only will the case be prepared sooner but they can be heard and disposed of with more facility if we can adopt the system of report of masters such as this bill authorizes.

In the hearings it was brought out that in one case one judgment was entered for over \$200,000 of interest. The amount of interest paid by the appointment of these commissioners would in a single year save ten times the salaries of these commissioners.

Mr. BLANTON. Suppose the gentleman from Pennsylvania had a case, would he like to have it heard by a master?

Mr. GRAHAM. These cases are not tried by the master.

Mr. BLANTON. It provides for certain issues to be settled by the master. That will be done, the master will do the detailed work for the court. I would rather have the court try my case.

Mr. GRAHAM. It is practically the same as you have in every court of equity.

Mr. BLANTON. These courts ought to go to work. There is the great trouble. They are not doing enough work.

Mr. FOSTER. May I say this, Mr. Speaker, with the permission of the gentleman from Pennsylvania: I attended the hearings before the House Committee on the Judiciary when the bill was up for four additional judges. The members of

that court of both political faiths came and testified, having the data, and showed that it would save twenty times the salary of those four judges, because there were 1,800 cases accumulated and they were just reaching the peak of their war work. That testimony showed that it would save twenty times per annum the expense of that court, and while this does not provide for the four additional judges, there is a three-year limitation on these seven commissioners, and I think from the standpoint of economy alone, as well as getting the cases heard, that the bill ought to be passed.

Mr. BLANTON. Does the limitation limit them to three years?

Mr. FOSTER. Yes.

Mr. BLANTON. And they can not continue on except by act of Congress.

Mr. FOSTER. The bill provides that automatically they stop.

Mr. BLANTON. Under the circumstances I shall not object.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That to afford the Court of Claims needed facilities for the disposition of suits brought therein said court is hereby authorized and empowered to appoint seven competent persons, to be known as commissioners, who shall attend the taking of or take evidence in cases that may be assigned to them severally by the court and make report of the facts in the case to the court. Any commissioner shall proceed under such rules and regulations as may be promulgated by the court and such orders as the court may make in the particular case, and may have and perform the general duties that pertain to special masters in suits in equity. He may fix the times for hearings, administer oaths, examine witnesses, and receive evidence. Parties to the suit may appear before the commissioner in person or by attorney, produce evidence, and examine witnesses. Subpoenas for witnesses or for the production of testimony before the commissioner may issue out of the court by the clerk thereof and shall be served by a United States marshal in any judicial district to whom they are directed. The rules of the court shall provide for a finding and report of facts by a commissioner, to be filed in court with the testimony upon which the same is based, and for exceptions thereto, in whole or in part, by the parties to the suit, and a hearing thereon within such reasonable time as the court's rules or order may prescribe. Nothing in this section shall be so construed as to prevent the court from passing upon all questions and findings without regard to whether exceptions were or were not taken at the hearings before the commissioner. Any person appointed as commissioner may be removed at the pleasure of the court.

SEC. 2. Each of said commissioners shall devote all of his time to the duties of his office and receive a salary of \$5,000 per annum, payable monthly out of the Treasury. The commissioners and stenographers authorized by the court shall also receive their necessary traveling expenses and their actual expenses incurred for subsistence while traveling on duty and away from Washington in an amount not to exceed \$7 per day in the case of commissioners and \$5 per day in the case of stenographers. The expenses of travel and subsistence herein authorized shall be paid upon the order of the court.

SEC. 3. This act and all appointments made thereunder shall cease and determine three years after the date of its approval by the President.

The bill was ordered to be read a third time, was read the third time, and passed.

#### LIBRARY OF CONGRESS TRUST-FUND BOARD

The next business on the Consent Calendar was the bill (H. R. 12125) to create a Library of Congress trust-fund board, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BLANTON. I object.

#### CONSTRUCTION OF A BRIDGE OVER THE OHIO RIVER, STEUBENVILLE, OHIO

The next business on the Consent Calendar was the bill (H. R. 11825) to extend the time for the construction of a bridge over the Ohio River near Steubenville, Ohio.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the times for commencing and completing the construction of a bridge authorized by act of Congress approved June 8, 1922, to be built by the Steubenville & Pittsburgh Bridge Co.

across the Ohio River at or near the north city limits of Steubenville, Ohio, are hereby extended each three years from the approval hereof.

SEC. 2. That the right to alter, amend, or repeal this act is expressly reserved.

With the following committee amendments:

Line 5, strike out the figure "8" and insert the figures "21."

Line 8, strike out the word "each" and insert the words "one and," and after the word "years" insert the word "respectively," and in line 9, at the beginning of the line, insert the words "date of."

The amendments were agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

#### BRIDGE ACROSS GRAND CALUMET RIVER, LAKE COUNTY, IND.

The next business on the Consent Calendar was the bill (H. R. 11953) to authorize the construction of a bridge across the Grand Calumet River on the north and south center line of section 33, township 37 north, and range 9 west of the second principal meridian in Lake County, Ind., where said river is crossed by what is known as Kennedy Avenue.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the board of commissioners of the county of Lake, State of Indiana, be, and is hereby, authorized to construct and maintain and operate a bridge across the Grand Calumet River on the north and south center line of section 33, township 37 north, range 9 west of the second principal meridian in Lake County, Ind., where said river is crossed by what is known as Kennedy Avenue, in North Township, being on the city boundary line between Hammond and East Chicago, in accordance with the acts of Congress entitled "An act to regulate the construction of bridges across navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 1, line 5, strike out the words "be, and is hereby, authorized."

Line 6, after the word "river," insert the words "at a point suitable to the interests of navigation."

The amendments were agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended to read as follows: "A bill granting the consent of Congress for the construction of a bridge across the Grand Calumet River on the north and south center line of section 33, township 37 north, and range 9 west of the second principal meridian in Lake County, Ind., where said river is crossed by what is known as Kennedy Avenue."

#### BRIDGE ACROSS GRAND CALUMET RIVER AT GARY, IND.

The next business on the Private Calendar was the bill (H. R. 11954) to authorize the construction of a bridge across the Grand Calumet River at Gary, Ind.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Board of Commissioners of the County of Lake, State of Indiana, be, and is hereby, authorized to construct and maintain and operate a bridge across the Grand Calumet River on the east line of section 1, township 36 north, range 9 west of the second principal meridian, where said river is crossed by what is commonly known as the Clark Road, in the city of Gary, Lake County, Ind., in accordance with the acts of Congress entitled "An act to regulate the construction of bridges across navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Line 5, page 1, strike out the words "be, and is hereby authorized."

Line 7, insert the words "at a point suitable to the interests of navigation."

The amendments were agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended to read as follows: "A bill granting the consent of Congress for the construction of a bridge across the Grand Calumet River at Gary, Ind."

REIMBURSEMENT OF CIVILIAN EMPLOYEES AT TORPEDO STATION,  
NEWPORT

The next bill on the Consent Calendar was the bill (H. R. 6723) to provide for reimbursement of certain civilian employees at the naval torpedo station, Newport, R. I., for the value of personal effects lost, damaged, or destroyed by fire.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. NEWTON of Minnesota. Mr. Speaker, reserving the right to object, I would like to know what precedent there is for this sort of legislation. If there is anybody here from the committee who can tell us I wish he would do so. Mr. Speaker, there does not seem to be anyone here and I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

ADDITIONAL LAND, BUREAU OF STANDARDS, WASHINGTON, D. C.

The next business on the Consent Calendar was the bill (H. R. 4548) authorizing the Secretary of Commerce to acquire, by condemnation or otherwise, a certain tract of land in the District of Columbia for the enlargement of the present site of the Bureau of Standards.

The Clerk read the title of the bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

*Be it enacted, etc.*, That the Secretary of Commerce be, and he is hereby, authorized to acquire, by condemnation or otherwise, that certain parcel of land hereinafter more fully described, aggregating approximately 346,234 square feet, for the enlargement of the present site of the Bureau of Standards, at a price or cost not to exceed \$173,117, the said land being that lying to the east of the main site of the Bureau of Standards, in the city of Washington, D. C., including the land situated and lying between Tilden and Van Ness Streets, and extending along Connecticut Avenue, bounded and described approximately as follows:

Beginning at the southwest corner of Van Ness Street, 60 feet wide, and Connecticut Avenue, 130 feet wide, south 24° 26' east, 845.82 feet to the center line of Tilden Street, 120 feet wide, as proposed by District of Columbia highway plan; thence with the arc of a circle whose radius is 1,226.6 feet, a distance of 386.37 feet, deflecting to the left; thence with the arc of a circle whose radius is 1,900 feet, a distance of 217.19 feet, deflecting to the right, to the southeast corner of the land of the Bureau of Standards; thence with the east line of the Bureau of Standards' land north 4' east, 890.77 feet to the south line of Van Ness Street, 60 feet wide; thence with the south line of Van Ness Street, south 89° 56' east, 238.06 feet to the point of beginning, containing approximately 346,234 square feet, or 7.9484 acres.

Mr. RAKER. Mr. Speaker, may I ask the gentleman from New York [Mr. SNELL] a question? There are only three pages yet and it is only a few moments before adjournment. Could not the gentleman have to-morrow night or the next night, so as to finish up the calendar?

Mr. SNELL. Well, I can not promise which night, but I think, however, we will have another night before the end of the week to finish up if we do not have time to take up the calendar during the day. It is the intention, however, to complete the calendar.

Mr. BLANTON. I want to put the distinguished gentleman from New York on notice that if they do have another night session this week it will be by a rule. We are worked down. We are working day and night on committees.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

AMENDING CERTAIN SECTIONS OF UNITED STATES STATUTES

The next business on the Consent Calendar was the bill (H. R. 4202) to amend section 5908, United States Compiled Statutes, 1916 (R. S., sec. 3186, as amended by act of March 1, 1879, ch. 125, sec. 3, and act of March 4, 1913, ch. 166).

The Clerk read the title of the bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

*Be it enacted, etc.*, That if any person liable to pay any tax neglects or refuses to pay the same after demand, the amount shall be a lien in favor of the United States from the time when the assessment list was received by the collector, except when otherwise provided, until paid, with the interest, penalties, and costs that may accrue in addition thereto upon all property and rights to property belonging to such person: *Provided, however*, That such lien shall not be valid as against any mortgagee, purchaser, or judgment creditor until no-

tice of such lien shall be filed by the collector in the office of the clerk of the district court of the district within which the property subject to such lien is situated: *Provided further*, That whenever any State by appropriate legislation authorizes the filing of such notice in the office of the registrar or recorder of deeds of the counties of that State, and in the State of Louisiana in the parishes thereof, and in the States of Connecticut, Rhode Island, and Vermont in the office of the registrar or recorder of deeds or town or city clerk having custody of the land records of the towns and cities, then such lien shall not be valid in that State against any mortgagee, purchaser, or judgment creditor until such notice shall be filed in the office of the registrar or recorder of deeds of the county or counties, or parish or parishes in the State of Louisiana, or in the office of the registrar or recorder of deeds or town or city clerk having custody of the land records in the States of Connecticut, Rhode Island, and Vermont of the towns or cities within which the property subject to the lien is situated.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

DECORATIONS TO PERSONS WHO SERVED IN THE UNITED STATES  
ARMY DURING THE WORLD WAR

The next business on the Consent Calendar was the bill (H. R. 10526) to extend the limitations of time upon the issuance of medals of honor, distinguished-service crosses, and distinguished-service medals to persons who served in the Army of the United States during the World War.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, I ask that this bill be passed over without prejudice.

The SPEAKER. Is there objection?

Mr. DYER. We will never get it through.

The SPEAKER. The gentleman from New York asks that the bill be passed over without prejudice. Is there objection. [After a pause.] The Chair hears none.

SPRINGFIELD MILITARY ARMORY RESERVATION, MASS.

The next business on the Consent Calendar was the bill (H. R. 11355) authorizing the Secretary of War to convey by revocable lease to the city of Springfield, Mass., a certain parcel of land within the Springfield Military Armory Reservation, Mass.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, reserving the right to object, was that revocable or irrevocable?

The SPEAKER. Revocable.

Mr. BLANTON. I withdraw the objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.*, That the Secretary of War be, and hereby is, authorized and empowered to convey by a proper revocable lease to the city of Springfield, Mass., for public highway purposes, and for no other purpose, a strip of land within the Springfield Military Armory Reservation, Mass., 55 feet wide lying southerly of and adjacent to the southerly line of Pearl Street, as established by a deed of the Secretary of War bearing date December 1, 1922, and extending easterly from Byers Street to Federal Street, as shown on four sheets of blue prints bearing the inscription "Springfield, Mass., department of streets and engineering plan showing proposed widening Pearl Street from Byers Street to Federal Street. Scale, 1 inch equals 20 feet; February, 1924," and filed in the office of the Secretary of War; *Provided*, That the conveyance herein authorized shall be upon the condition that the said city of Springfield shall within a reasonable time lay out and improve and thereafter maintain upon said land a public street with roadway, tree belts, and sidewalks substantially as shown upon said blue prints, or with such variations therefrom as may be directed by the Secretary of War; shall preserve all trees now standing upon said land, except such as stand within said new roadway; shall set the iron fence now standing within said land over to the southerly line thereof; shall construct upon the adjacent portion of said reservation a new drainage system to take the place of that now existing upon said land; all of said things to be done by said city at its own expense and without cost to the United States and to the satisfaction of the Secretary of War: *Provided further*, That there shall be reserved in the conveyance herein authorized the right to construct and maintain over, under, and across said new street water, gas, and sewer mains, electric light and power, and telephone wires and cables, and any other utility which the operation and use by the United States of the said armory may require: *Provided further*, That the said city shall not sell or assign the right and interest herein authorized to be conveyed or devote said premises to any other purpose than street purposes: *And provided further*, That in the event that said premises shall be used for any other

purpose or shall not be cared for and maintained as are other public streets of the said city, or that any of the foregoing conditions shall be violated by the said city, said right and interest shall cease and said lease shall thereby be terminated.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

The SPEAKER. Without objection, a motion to reconsider and lay on the table will be ordered on all bills which have been passed to-night.

There was no objection.

#### THE NORWEGIAN STEAMSHIP "HASSEL"

Mr. MOORES of Indiana. Mr. Speaker, when the Calendar No. 666 (S. 2718) was called earlier in the evening it was objected to by the gentleman from Texas [Mr. BLACK]. If he were not here I would not ask that it be restored to its place on the calendar. He has consented that I make that request.

Mr. BLACK of Texas. Mr. Speaker, I have conferred with the gentleman from Indiana [Mr. MOORES] and he brings to my attention that this claim has been gone over by the War Department and a satisfactory compromise has been arrived at which in all probability represents a very considerably less sum than the Government would have to pay if it sued in a court of admiralty, so I withdraw my objection.

The SPEAKER. Is there objection to the bill being restored to its place on the calendar?

Mr. BLANTON. Let us pass it to-night.

The SPEAKER. Is there objection—

Mr. MOORES of Indiana. Mr. Speaker, I ask unanimous consent that the bill be placed upon its passage.

The SPEAKER. Is there objection to its consideration now? [After a pause.] The Chair hears none.

The Clerk read as follows:

A bill (S. 2718) to authorize the payment of an indemnity to the Government of Norway on account of losses sustained by the owners of the Norwegian steamship *Hassel* as the result of a collision between that steamship and the American steamship *Ausable*

*Be it enacted, etc.,* That there is hereby authorized to be paid to the Government of Norway, out of any money in the Treasury not otherwise appropriated, as a matter of grace and without reference to the question of liability therefor, as full indemnity for the losses sustained by the owners of the Norwegian steamship *Hassel*, or any other parties peculiarly interested, as the result of a collision on August 24, 1918, between that steamship and the American steamship *Ausable*, operated by the War Department, the sum of \$164,169.23, as recommended by the President in his message to Congress of February 25, 1924, printed as Senate Document No. 52, Sixty-eighth Congress, first session.

The SPEAKER. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

Mr. ANDREW. Mr. Speaker, I ask unanimous consent to take up—

Mr. BLANTON. It can not be done. It is now 11 o'clock.

#### FOREIGN LOANS AND DOMESTIC INTEREST RATES

Mr. LOZIER. Mr. Speaker, I ask unanimous consent to extend in the RECORD my remarks on S. J. Res. 167 and also to extend my remarks on the domestic interest rates and foreign loans.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. LOZIER. Mr. Speaker, I have on two occasions within the last few days called attention to the fact that the American banks, trust companies, and capitalists are lending entirely too much money abroad for the financial welfare and economic well-being of the American people. I have shown that since the World War ended—yes, since January 1, 1919—approximately \$4,000,000,000 of American money has been sent abroad and loaned to foreign governments, foreign provinces, foreign railroads, and foreign corporations. This is an average of about \$700,000,000 annually for the last six years. I have also shown that the net amount of American money loaned abroad in the year 1924 was \$973,011,500, or practically \$1,000,000,000.

I have also demonstrated that the investment of these tremendous sums abroad has materially reduced the money available for domestic loans and productive purposes, resulting in a much higher rate of interest and consequently heavier overhead expense and less profits for the American farmers, manufacturers, and other classes, who, in whole or in part, use borrowed capital to carry on their business affairs. I have called particular attention to the fact that the farmer is espe-

cially interested in low interest rates, and that he is staggering under a tremendous load that obviously would be lightened by lending less American money abroad.

These foreign loans, ever increasing in number and amounts, are drying up the fountains of surplus capital from which the farmers and other borrowers must look for funds to finance their vocational activities. I am convinced that the average interest rate all over the United States is at least 2 per cent higher than it would be if we had not so lavishly loaned our millions and billions of dollars abroad.

American farmers, merchants, manufacturers, railroads, and corporations, even with first-class security, often find it extremely difficult to get loans at a reasonable rate of interest because the surplus money of the American people is being loaned to foreign governments, foreign provinces, foreign manufacturers, foreign railroads, and foreign corporations. I admit that domestic loans bottomed on good security can be obtained, but the rate is unreasonably high—so high, in fact, that the borrower can not as a rule handle the borrowed funds so as to make interest, much less a profit.

Now, interest and credits are commodities just as wheat and corn are commodities. Interest rates, like the price of wheat and corn, depend very largely on supply and demand. The foreign demand and the American demand combined very rapidly reduces the supply, which inevitably means higher interest rates. Every new demand tends to reduce the supply and advance the interest rate.

The United States emerged from the World War a great creditor nation. Our financial resources were almost boundless. We had the major portion of the world's gold. Our banks and trust companies were filled with surplus wealth. If this surplus capital could have been kept in the United States, it would have been available for loans and for productive business purposes. This would have meant a radical reduction in interest rates, the beneficial effects of which would have been reflected in the prosperity of all lines of business.

But the international bankers were not willing to allow the American people to have a low interest rate or to enjoy the benefit of our great national wealth. These bankers were greedy for higher interest rates and for enormous commissions and underwriting profits obtainable on foreign loans. So they began to lend American money abroad, to the disadvantage of American industry. All who were engaged in agricultural, manufacturing, and commercial pursuits, who desired loans or credit for their vocational activities, were compelled to borrow in a market where foreign governments, foreign provinces, foreign railroads, foreign corporations, and foreign industrial organizations were bidding for loans and offering excessive interest and commission rates. These foreign securities bear a high rate of interest and this attracts capital that would otherwise be available for domestic loans.

Every well-informed person knows that ultimately the interest rates that prevail in New York City and other great centers of wealth regulate automatically the interest rate throughout the Nation. When choice, conservative, and well-secured foreign loans can be made at rates that will return 7, 8, or even a higher per cent interest, with attractive commissions and underwriting profits, obviously these high interest rates will powerfully stimulate and advance the interest rates on all other kinds of loans throughout the Nation.

Now, I have not taken the position that no American money should be invested in foreign securities. I believe I understand and appreciate, not only the importance, but the necessity of contributing, along reasonable and conservative lines, to the reconstruction of Europe. But I do say we have gone entirely too far and have loaned entirely too much money to foreign nations for our own good.

I submit that by contributing too freely to the economic reconstruction of Europe, we are delaying our own economic reconstruction. By advancing so much money to increase the productive capacity of Europe and other foreign lands, may we not materially impair our own productive capacity?

Now, after lending nearly one billion dollars abroad last year, it is not unreasonable to suppose that our international money changers would be disposed to "slow up" on foreign loans in 1925, but from present indications they will continue the policy of absorbing American surplus capital by investments in foreign securities.

Large new issues of foreign securities are being extensively advertised in the metropolitan and financial papers. On February 1 the New York papers featured the following foreign loans: (1) \$35,000,000 to Canadian National Railways and (2) \$20,000,000 to Compagnie des Chemins de Fed de l'Est (Est Railway Co. of France), priced to yield 8.1 per cent. The

proceeds of this loan are to be used to construct new lines of railroad and for repairs and improvements and for the purchase of rolling stock. The Est Railroad connects the city of Paris with Belgium, Luxembourg, Alsace-Lorraine, and Switzerland. Much of the territory in which this railroad operates was overrun and devastated during the World War. It is claimed that this loan is guaranteed by the French Government, but in view of the disposition of France to repudiate her debt to the United States this guaranty is of questionable value. (3) \$25,000,000 to Akteengesellschaft Sachsische Werke (Saxon Public Iron Works (Inc.), of the State of Saxony, Germany. The proceeds of this loan are to be used to erect a power plant and transmission lines and for the development of coal fields in Saxony. This loan will yield practically 8 per cent interest net. (4) \$4,000,000 to British Columbia, at 4½ per cent interest. (5) \$3,000,000 to Rimamurany-Salgotarjan Iron Works (Ltd.) (Rima Steel Corporation) of Hungary, yielding 8 per cent interest; proceeds to be used to enlarge steel plant and for other corporate purposes. (6) \$50,000,000 to French cities, French railroads, and French industrial concerns, including \$30,000,000 to the city of Paris. (7) \$7,500,000 to the French Steamship Co.

Now, these advertisements of new issues of foreign loans were clipped from one paper, the New York Journal of Commerce. Doubtless many similar new issues of foreign loans are now being marketed in the United States, but the seven issues enumerated above aggregate \$134,500,000. This means that in a few weeks these foreign securities will absorb \$134,500,000 of American money that would be available for domestic loans if it had not been loaned abroad.

The Washington Post of February 2 contained the following news item under a New York date line:

**\$20,000,000 FRENCH RAILROAD BONDS GO ON SALE**

New York, February 1.—The American investment market, which has been virtually closed to new French financing pending clarification of the French debt situation, will be reopened to-morrow through flotation of a \$20,000,000 loan for the Est Railroad Co. of France.

Public offering of 30-year 7 per cent bonds, guaranteed by the French Government, will be made through a syndicate of New York and Cleveland bankers, headed by Dillon, Read & Co. The issue will be sold at 87½ to yield more than 8 per cent to investors.

The removal of restrictions on private French loans will enable bankers to close pending negotiations for other rail, industrial, and municipal bond issues, aggregating more than \$50,000,000. The city of Paris is expected to be one of the borrowers. \* \* \* The Canadian National Railway is expected to place part of a \$35,000,000 loan in New York.

Considering the attitude of France toward her indebtedness to the United States, I am wondering how much real value is added to these bonds by the guaranty of the French Government. George Rothwell Brown, in his "Postscripts" in the Washington Post, in discussing this guaranty, said:

A \$20,000,000 loan for a French railroad will be offered to-day, guaranteed by the French Government. What d'ye mean, guaranteed? Does Wall Street enjoy any special privileges over Uncle Sam?

It is as easy for France to repudiate her guaranty on these private loans as it is to repudiate the debt she owes the United States for money loaned her in her fight for existence in the recent World War.

The following is from the New York Herald and Tribune, issue of February 1:

**ALSACE-LORRAINE RAIL LOAN**

It was learned yesterday that Dillon, Read & Co. are negotiating with representatives of the Est Railway, of France, on a piece of finance ranging from \$10,000,000 to \$20,000,000 in amount. This is one of the loans which were said to have been held up pending the formulation by the French Government of an orderly schedule of borrowings by corporations and municipalities whose obligations carry a Government sanction and guaranty. It is understood that the State Department in Washington has interposed no objections to the Est loan. This railway operates in Alsace-Lorraine, being fed by the industrial and mining centers of that Province.

The other big issues are \$35,000,000 for the Canadian National Railways, \$20,000,000 for the East Railway of Alsace-Lorraine, upward of \$30,000,000 for the city of Paris, and \$7,500,000 for the French Steamship Co.

It will be observed that the State Department at Washington has interposed no objection to this \$20,000,000 loan to the French railroad which operates principally in Alsace-Lorraine territory, which in the event of another conflict between Germany and France will be in the heart of the military operations. Many of these foreign loans have been negotiated with

the express approval of the State Department. That is, the Government of the United States has approved and encouraged the lending of many hundred millions of dollars abroad, thereby substantially reducing the supply of money in America available for domestic loans and productive business activities.

The \$20,000,000 bonds of the Est Railroad of France were sold in two days, the demand being so great that the subscriptions reached \$40,000,000, or double the issue. The \$35,000,000 Canadian National Railway bonds were quickly sold. I quote from the New York World of February 3:

Foreign bonds were firm to strong. French issues improved because of the oversubscription accorded to the \$20,000,000 Est Railroad loan.

Reception of the \$20,000,000 Est Railroad 7 per cent loan offered by a Dillon-Read syndicate was the outstanding feature of the day. Subscriptions exceeded \$40,000,000.

Quick sale of the issue proved that French credit had not been hampered by the war-debt controversy and the temporary ban on French financing in Wall Street. Set-up of the loan was attractive, the price of 87½ to yield more than 8.15 per cent met with approval, and dealers worked with a will. It was the first foreign flotation ever contracted by the Est Railroad and was guaranteed by the French Government.

The foregoing illustrates how these foreign bonds, bearing a high rate of interest, compete with American securities for American money in American markets. This means that farmers, manufacturers, railroads, States, counties, cities, school districts, and drainage and levee districts can not float their loans unless the interest rates thereon are materially advanced to or near the interest level on foreign loans. Obviously this is not a wholesome condition in the fiscal affairs of our Nation.

**ADJOURNMENT**

The SPEAKER. Under the order of the House, the House adjourns until 12 o'clock to-morrow.

Thereupon (at 11 o'clock p. m.) the House adjourned until to-morrow, Tuesday, February 17, 1925, at 12 o'clock noon.

**EXECUTIVE COMMUNICATIONS, ETC.**

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

882. A communication from the President of the United States, transmitting schedules of claims, amounting to \$577,808.15, allowed by various divisions of the General Accounting Office (H. Doc. No. 631); to the Committee on Appropriations and ordered to be printed.

883. A communication from the President of the United States, transmitting records of judgments rendered against the Government by the United States district courts, as follows: Under War Department, \$5,389.89; under Navy Department, \$10,160.70; total, \$15,550.59 (H. Doc. No. 632); to the Committee on Appropriations and ordered to be printed.

884. A communication from the President of the United States, transmitting a list of judgments rendered by the Court of Claims which have been submitted by the Attorney General through the Secretary of the Treasury and require an appropriation for their payment (H. Doc. No. 633); to the Committee on Appropriations and ordered to be printed.

885. A communication from the President of the United States, transmitting a list of judgments rendered against the Government by the district courts of the United States, as submitted by the Attorney General through the Secretary of the Treasury, which require an appropriation for their payment (H. Doc. No. 634); to the Committee on Appropriations and ordered to be printed.

**REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS**

Under clause 2 of Rule XIII,

Mr. NEWTON of Minnesota: Committee on Interstate and Foreign Commerce. H. R. 12025. A bill to authorize the construction, maintenance, and operation of a bridge across the St. Louis River between the cities of Superior, Wis., and Duluth, Minn.; with amendments (Rept. No. 1496). Referred to the House Calendar.

Mr. BUTLER: Committee on Naval Affairs. H. Res. 434. A resolution directing the Secretary of the Navy to inform the House of Representatives, if not incompatible with public interest, of the number or designation of United States vessels that have run aground since January 1, 1923, and for other purposes; without amendment (Rept. No. 1497). Referred to the House Calendar.

Mr. RATHBONE: Committee on the District of Columbia. H. R. 12126. A bill to provide for the regulation of motor-

vehicle traffic in the District of Columbia, increase the number of judges of the police court, and for other purposes; without amendment (Rept. No. 1498). Referred to the Committee of the Whole House on the state of the Union.

Mr. ZIHLMAN: Committee on the District of Columbia. H. R. 12223. A bill to create the Federal City planning commission; with an amendment (Rept. No. 1499). Referred to the Committee of the Whole House on the state of the Union.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. VESTAL: A bill (H. R. 12306) to copyright registration of designs; to the Committee on Patents.

By Mr. PATTERSON: A bill (H. R. 12307) extending the appreciation of Congress and providing an appropriate medal to governors, adjutant generals, members of local and district boards and medical and legal advisory boards, and Government appeal agents who served as members of the selective service system during the World War in the building of the Nation's armies; to the Committee on Military Affairs.

By Mr. JOHNSON of South Dakota: A bill (H. R. 12308) to amend the World War veterans' act, 1924; to the Committee on World War Veterans' Legislation.

By Mr. STEPHENS: A bill (H. R. 12309) to authorize an appropriation for the care, maintenance, and improvement of the burial grounds containing the remains of William Henry Harrison, former President of the United States, and of the memorial shaft erected to his memory; to the Committee on the Library.

By Mr. BACON: A bill (H. R. 12310) to supplement the naturalization laws; to the Committee on Immigration and Naturalization.

By Mr. LOWREY: Joint resolution (H. J. Res. 356) making an appropriation for the arrest and eradication of anthrax; to the Committee on Appropriations.

By Mr. DARROW: Joint resolution (H. J. Res. 357) providing for the cooperation of the United States in the sesquicentennial exhibition commemorating the signing of the Declaration of Independence, and for other purposes; to the Committee on Industrial Arts and Expositions.

By Mr. BACON: Joint resolution (H. J. Res. 358) providing for the preparation of certain statistics relating to immigration and naturalization; to the Committee on Immigration and Naturalization.

By Mr. DALLINGER: Resolution (H. Res. 443) directing the Commissioners of the District of Columbia to inform the House of Representatives as to what steps they have taken to prevent the staging of improper plays in the District of Columbia; to the Committee on the District of Columbia.

By Mr. FAIRFIELD: Resolution (H. Res. 444) to provide for the printing of the hearings on the joint resolution (H. J. Res. 131) to enable the people of the Philippine Islands to form a constitution and national government and to provide for the recognition of their independence; to the Committee on Printing.

Also, resolution (H. Res. 445) to provide for the printing of the hearings on the bill (H. R. 8856) to enable the people of the Philippine Islands to adopt a constitution and form a government for the Philippine Islands and to provide for the future political status of the same; to the Committee on Printing.

By Mr. HOWARD of Nebraska: Memorial of the Legislature of the State of Nebraska, urging early improvement of the St. Lawrence River to permit ocean-going vessels to enter the Great Lakes, and also favoring deepening the Missouri River between Kansas City, Kans., and Sioux City, Iowa; to the Committee on Rivers and Harbors.

By the SPEAKER (by request): Memorial of the Legislature of the State of Idaho, favoring legislation that will protect depositors from loss by reason of bank failures by a proper utilization of surplus in Federal reserve banks; to the Committee on Banking and Currency.

By Mr. SWEET: Memorial of the Legislature of the State of New York, opposing the enactment into law of Senate bill 4428 and an amendment to House bill 3933; to the Committee on Rivers and Harbors.

By Mr. HUDSON: Memorial of the Legislature of the State of Michigan, urging the provision of funds necessary for the immediate improving of Selfridge Field and to make it one of the leading units in an up-to-date national air service; to the Committee on Military Affairs.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COLE of Iowa: A bill (H. R. 12311) granting an increase of pension to Mary E. Clough; to the Committee on Invalid Pensions.

By Mr. EVANS of Montana: A bill (H. R. 12312) granting a pension to Eugene C. Burris; to the Committee on Pensions.

By Mr. GARDNER of Indiana: A bill (H. R. 12313) granting a pension to Mahalia A. Roberson; to the Committee on Invalid Pensions.

By Mr. HOWARD of Nebraska: A bill (H. R. 12314) granting an increase of pension to Harriet Best; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12315) granting an increase of pension to Edward A. Dewey; to the Committee on Invalid Pensions.

By Mr. LEACH: A bill (H. R. 12316) granting an increase of pension to Helen O. Monroe; to the Committee on Invalid Pensions.

By Mr. McLEOD: A bill (H. R. 12317) granting a pension to Fannie M. Buell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12318) granting a pension to Joseph Childs Petres; to the Committee on Pensions.

By Mr. MOORES of Indiana: A bill (H. R. 12319) granting an increase of pension to Mary A. Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12320) granting a pension to Sarah Miller; to the Committee on Pensions.

Also, a bill (H. R. 12321) granting an increase of pension to Mary Northcutt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12322) granting an increase of pension to Susan M. Stevenson; to the Committee on Invalid Pensions.

By Mr. ROBINSON of Iowa: A bill (H. R. 12323) granting a pension to Nora Corcoran Flynn; to the Committee on Invalid Pensions.

By Mr. SCHNEIDER: A bill (H. R. 12324) to authorize the Secretary of the Interior to pay the claim of Mitchell Oshkenaw, a member of the Menominee Tribe of Indians; to the Committee on Indian Affairs.

By Mr. WILLIAMS of Michigan: A bill (H. R. 12325) to provide for the payment, under certain conditions, to Lester P. Barlow of royalties accruing to him by reason of the use of certain inventions by the United States; to the Committee on War Claims.

By Mr. WILSON of Indiana: A bill (H. R. 12326) granting a pension to Orra M. Barnes; to the Committee on Invalid Pensions.

By Mr. WYANT: A bill (H. R. 12327) granting a pension to Hannah E. Kunkle; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3802. By Mr. McFADDEN: Petition of sundry citizens of Beaumont, Pa., and vicinity, opposing S. 3218; to the Committee on the District of Columbia.

3803. By Mr. McSWEENEY: Petition of sundry citizens of New Philadelphia, Ohio, protesting against the enactment of S. 3218 or any similar legislation; to the Committee on the District of Columbia.

3804. By Mr. MORROW: Petition of the Woman's Club of Carlsbad, N. Mex., concerning United States adherence to the World Court; to the Committee on Foreign Affairs.

3805. By Mr. RAKER: Petition of the Pacific Novelty Co., of San Francisco, Calif., relative to the postal salary and rate increase bill; to the Committee on the Post Office and Post Roads.

3806. Also, petition of the Los Angeles Railway, Los Angeles, Calif., urging passage of the reorganization bill (H. R. 9629); to the Joint Committee on Reorganization of Executive Departments.

3807. Also, petition of 45 residents of Eldorado County, Calif., protesting against the passage of the compulsory Sunday observance bill (S. 3218) or any other religious legislation; to the Committee on the District of Columbia.

3808. Also, petition of the United Veterans' Council, San Francisco, Calif., indorsing H. R. 11798 and S. 3920, in the interest of Indian war veterans, widows, and dependent children; to the Committee on Pensions.

3809. By Mr. SHREVE (by request): Petition of sundry citizens of North East, Pa., opposed to compulsory Sunday observance bill (S. 3218); to the Committee on the District of Columbia.

3810. Also, petition of sundry residents of Erie, Pa., opposed to compulsory Sunday observance bill (S. 3218); to the Committee on the District of Columbia.

3811. Also, petition of 255 citizens of the State of Pennsylvania protesting against the passage of Senate bill 3218, the compulsory Sunday observance bill, and all other religious legislation; to the Committee on the District of Columbia.

3812. By Mr. SMITH: Petition of 61 citizens of Boise, Idaho, against the passage of compulsory Sunday observance bill; to the Committee on the District of Columbia.

3813. By Mr. SWING: Petition of sundry citizens of San Diego, Calif., protesting against compulsory Sunday observance laws; to the Committee on the District of Columbia.

## SENATE

TUESDAY, February 17, 1925

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

O God, Thou hast been our dwelling place in all generations. Thou art the same yesterday, to-day, and forever, so full of grace and ever remembering our needs. We come this morning into Thy presence asking for the guidance of Thy Spirit. Lead us in paths of truth and of righteousness. May there be no hesitancy on our part but rather a glad surrender of our will to do Thy will. We humbly ask in Jesus' name. Amen.

### NAMING A PRESIDING OFFICER

The Secretary, George A. Sanderson, read the following communication:

UNITED STATES SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, D. C., February 17, 1925.

### To the Senate:

Being temporarily absent from the Senate, I appoint Hon. GEORGE H. MOSES, a Senator from the State of New Hampshire, to perform the duties of the Chair this legislative day.

ALBERT B. CUMMINS,  
President pro tempore.

Mr. MOSES thereupon took the chair as Presiding Officer.

### THE JOURNAL

The reading clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Farrell, its enrolling clerk, announced that the House had passed without amendment the following bills of the Senate:

S. 877. An act to provide for exchanges of Government and privately owned lands in the Walapai Indian Reservation, Ariz.;

S. 2209. An act to amend section 5147 of the Revised Statutes;

S. 2397. An act to provide for refunds to veterans of the World War of certain amounts paid by them under Federal irrigation projects;

S. 2718. An act to authorize the payment of an indemnity to the Government of Norway on account of losses sustained by the owners of the Norwegian steamship *Hassel* as the result of a collision between that steamship and the American steamship *Ausable*;

S. 2746. An act regulating the recovery of allotments and allowances heretofore paid to designated beneficiaries;

S. 2835. An act to amend an act entitled "An act authorizing insurance companies or associations and fraternal beneficiary societies to file bills of interpleader," approved February 22, 1917;

S. 3171. An act for the relief of sufferers from earthquake in Japan;

S. 3180. An act to amend section 194 of the Penal Code of the United States;

S. 3252. An act referring the claim of the State of Rhode Island for expenses during the war with Spain to the Court of Claims for adjudication;

S. 3352. An act to provide for the appointment of an appraiser of merchandise at Portland, Oreg.;

S. 3398. An act to authorize the city of Norfolk, Va., to construct a combined dam and bridge in Lafayette River at or near Granby Street, Norfolk, Va.;

S. 3793. An act to authorize the appointment of commissioners by the Court of Claims and to prescribe their powers and compensation;

S. 3830. An act authorizing the Secretary of War to convey to the Federal Land Bank of Baltimore certain land in the city of San Juan, P. R.;

S. 4014. An act to amend the act of June 30, 1919, relative to per capita cost of Indian schools;

S. 4109. An act to provide for the securing of lands in the southern Appalachian Mountains and in the Mammoth Cave regions of Kentucky for perpetual preservation as national parks;

S. 4152. An act to authorize the Secretary of War to grant a perpetual easement for railroad right of way over and upon a portion of the military reservation on Anastasia Island, in the State of Florida; and

S. J. Res. 177. Joint resolution to amend section 2 of the public resolution entitled "Joint resolution to authorize the operation of Government-owned radio stations for the use of the general public, and for other purposes," approved April 14, 1922.

The message also announced that the House had passed the following bill and joint resolution of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 3648. An act granting to the county authorities of San Juan County, State of Washington, certain described tracts of land on the abandoned military reservations on Lopez and Shaw Islands as a right of way for county roads, and for other purposes; and

S. J. Res. 172. Joint resolution to authorize the appropriation of certain amounts for the Yuma irrigation projects, Arizona, and for other purposes.

The message further announced that the House had passed the following bills and joint resolution of the Senate, severally with amendments, in which it requested the concurrence of the Senate:

S. 1918. An act relative to officers in charge of public buildings and grounds in the District of Columbia;

S. 3346. An act to provide that jurisdiction shall be conferred upon the Court of Claims, notwithstanding the lapse of time or statutes of limitation, to hear, examine, and adjudicate and render judgment in any and all legal and equitable claims arising under or growing out of any treaty or agreement between the United States and certain bands of Indians, and for other purposes;

S. 3760. An act to amend in certain particulars the national defense act of June 3, 1916, as amended, and for other purposes;

S. 3895. An act to authorize the coinage of silver 50-cent pieces in commemoration of the one hundred and fiftieth anniversary of the Battle of Bennington and the independence of Vermont; and

S. J. Res. 95. Joint resolution to authorize the American National Red Cross to continue the use of temporary buildings now erected on square No. 172, Washington, D. C.

The message also announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 3842. An act to provide for terms of the United States district court at Denton, Md.;

H. R. 4202. An act to amend section 5908, United States Compiled Statutes, 1916 (R. S., sec. 3186, as amended by act of March 1, 1879, ch. 125, sec. 3, and act of March 4, 1913, ch. 166);

H. R. 4548. An act authorizing the Secretary of Commerce to acquire, by condemnation or otherwise, a certain tract of land in the District of Columbia for the enlargement of the present site of the Bureau of Standards;

H. R. 5261. An act to repeal and reenact chapter 100, 1914, Public, No. 108, to provide for the restoration of Fort McHenry, in the State of Maryland, and its permanent preservation as a national park and perpetual national memorial shrine as the birthplace of the immortal Star-Spangled Banner, written by Francis Scott Key, for the appropriation of the necessary funds, and for other purposes;

H. R. 5265. An act to authorize the appointment of stenographers in the courts of the United States and to fix their duties and compensation;

H. R. 7762. An act to provide for the method of measurement of vessels using the Panama Canal;

H. R. 9062. An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any and all claims, of whatever nature, which the Kansas or